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Regulations

TITLE 7—AGRICULTURE

Chapter XI—Food Distribution Administration

(FDO 47)

PART 1490—MISCELLANEOUS FOOD PRODUCTS

CONSERVATION AND DISTRIBUTION OF HONEY

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of honey to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1490.2 *Restrictions imposed on the use of honey—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, corporation, association, or other business entity.

(2) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(3) The term "honey" means honey in any extracted or comb form.

(4) The term "other product" means any manufactured product, including any syrup or compound, in which honey is an ingredient and which is manufactured for sale or for use in any commercial establishment.

(b) *General restrictions and quotas.*
(1) No person may accept deliveries of honey, for use in manufacturing other products, which will increase his inventory of honey to an amount in excess of a practicable minimum working inventory in view of the restrictions herein.

(2) No person may deliver honey to any other person for use in manufacturing other products with knowledge or reason to believe that such person is not entitled to accept such delivery pursuant to this order.

(3) Except as permitted in (c) hereof or as hereafter authorized by the Director, no person may use more honey in

manufacturing other products during any quota period than his quota thereof for that period, such quota period and quota to be determined by the Director from time to time.

(c) *Quota exemptions and special quotas.* (1) Notwithstanding the restrictions of (b) (3) hereof and without charge to his quota thereunder, any person may use any amount of honey in manufacturing other products to be delivered to or for the Army, Navy, Marine Corps, or Coast Guard, or any person or organization designated by the Director, or any agency of the United States Government for material, supplies, or equipment to be delivered to, or for the account of, the Government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act): *Provided*, That the use of honey is required by the purchaser's specifications, or that honey is normally used as an ingredient in such products.

(2) Upon receipt of application, the Director may, subject to such terms and restrictions as he may deem advisable, assign special quotas of honey to any person who wishes to use honey in manufacturing any other product not previously manufactured by him, by any subsidiary of his, or by any person affiliated with him: *Provided*, That such honey will not be used primarily in place of sugar in such other product. The quotas assigned under this provision shall be in addition to the regular quotas assigned by the Director pursuant to the provisions of (b) (3) hereof. Applications (Form FDO-47-1) for special quotas pursuant to this order may be obtained from the Director of Food Distribution, United States Department of Agriculture, Washington, D. C.

(d) *Applicability of order.* The provisions of this order shall not apply outside the continental United States (which, for purposes of this order, means the 48 States of the United States and the District of Columbia).

(e) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall ex-

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cute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe (specific recording or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942).

(f) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections by the Director, at all reasonable times, of his stocks of honey and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(g) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United

States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(i) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref: FD-47.

(j) *General Preference Order M-118 superseded.* This order supersedes in all respects General Preference Order M-118 of the War Production Board, as amended (7 F.R. 4570), except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said General Preference Order M-118, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to such violation, right, or liability. Any appeal pending under said General Preference Order M-118, as amended, shall be considered under (h) hereof.

(k) *Effective date.* This order shall take effect on its issuance.

(E.O. 9280, 7 F.R. 10179)

Issued this 6th day of April 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-5419; Filed, April 6, 1943; 3:39 p. m.]

[FDO 47-1]

PART 1490—MISCELLANEOUS FOOD PRODUCTS

QUOTAS AND REPORTS IN CONNECTION WITH HONEY PRESCRIBED

Pursuant to the authority vested in me by Food Distribution Order No. 47, dated April 6, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, and to effectuate the purposes of such orders, *It is hereby ordered*, As follows:

§ 1490.3 *Quotas and reports in connection with honey.* (a) During the three-month period ending June 30, 1943, and during each subsequent three-month period until otherwise ordered, no person may use more honey in manufacturing other products than 600

pounds or 120% of the amount of honey so used by him during the corresponding three-month period of 1941, whichever is greater.

(b) Every person, other than those specified in § 1490.2 (c) (1) of Food Distribution Order No. 47, who purchases, during any month, 10,000 pounds, or more, of honey for use in manufacturing other products, shall report such purchase within 10 days after the close of such month, by letter, to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., specifying the seller, the amount purchased, and the intended use of the honey (this reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942).

(c) This order shall take effect on its issuance.

(E.O. 9280, 7 F.R. 10179; F.D.O. No. 47, 8 F.R. *supra*)

Issued this 6th day of April 1943.

[SEAL] ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-5420; Filed, April 6, 1943;
3:39 p. m.]

[FDO 28-1, Amendment 2]

PART 1410—LIVESTOCK AND MEATS

MEAT REQUIRED TO BE SET ASIDE

Pursuant to the authority vested in me by Food Distribution Order No. 28, dated March 5, 1943, issued pursuant to Executive Order No. 9280, dated December 5, 1942, Director Food Distribution Order 28-1, § 1410.5 (8 F.R. 3135), issued on March 13, 1943, as amended by Director Food Distribution Order 28-1, Amendment 1, issued March 29, 1943 (8 F.R. 3811), is further amended as follows:

By amending (a) (2) thereof to read as follows:

(2) An amount of each class of meat equivalent to the percentages set forth in paragraph (b) hereof of all meats derived from the slaughter of cattle, calves, sheep, lambs, and swine during the period from March 15 to March 28, 1943, inclusive.

This amendment shall become effective on the date of its issuance.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; F.D.O. 28, 8 F.R. 2787)

Issued this 6th day of April 1943.

[SEAL] ROY F. HENDRICKSON,
Director.

[F. R. Doc. 43-5438; Filed, April 7, 1943;
11:40 a. m.]

[FDO 48]

PART 1410—LIVESTOCK AND MEATS

RESTRICTIONS ON INVENTORIES

Pursuant to the authority vested in me by Executive Order No. 9322, dated March 26, 1943 (8 F.R. 3807), and to assure an adequate supply and efficient distribution of meat to meet war and

essential civilian needs: *It is hereby ordered*, as follows:

§ 1410.8 *Restrictions on inventories*—

(a) *Definitions*. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "person" means any individual, partnership, corporation, association, or other business entity.

(2) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(3) The term "slaughterer" means any person who owns cattle or swine, in whole or in part, at the time they are slaughtered in an establishment having Federal inspection under the provisions of the Act of March 4, 1907, 34 Stat. 1260, as amended, 21 U.S.C. 1940 ed. 71, and as extended by Public Law 602, 77th Congress, Second Session, approved June 10, 1942, 56 Stat. 351.

(4) The term "governmental agency" means the Food Distribution Administration, United States Department of Agriculture (including but not restricted to the Federal Surplus Commodities Corporation), the Army, Navy, Marine Corps, and the Coast Guard of the United States, the United States Maritime Commission, the Veterans Administration, and any other agency which the Director finds is directly essential to the war effort and which is designated by him: *Provided, however*, That post exchanges, service men's clubs, ship service stores, sales commissaries, and similar organizations shall not be deemed part of the Army, Navy, Marine Corps, or Coast Guard of the United States.

(5) The term "beef" means the dressed carcasses of cattle, or any edible part, cut or trimmings thereof, which are frozen, cured or in process of cure; excluding, however, canned meats, offal, oils, rendering fats, casings, and by-products not ordinarily used for human consumption.

(6) The term "pork" means the dressed carcasses of swine, or any edible part, cut or trimmings thereof, which are frozen, cured or in process of cure; excluding, however, canned meats, scrap-ple, souse and other similar products, offal, oils, lards, rendering fats, raw leaf, casings, by-products not ordinarily used for human consumption, and skins when prepared for use in leather, glue and gelatin.

(7) The term "inventory" means stocks of beef or pork processed or owned by the slaughterer, and located in his plant, branch house, warehouse or premises, and stocks of beef and pork owned by the slaughterer, in whole or in part, regardless of where, how or by whom held; excluding, however, beef or pork which has been sold to governmental agencies, or which is to be used in the manufacture of processed meat products under contract of sale to any governmental agency.

(b) *Restrictions*. (1) No slaughterer shall, on April 17, 1943, or at the end of any week thereafter, have an inventory

of beef or pork in excess of the following quantities:

(i) An aggregate quantity of beef greater than the aggregate quantity of beef in inventory on the last day of such slaughterer's Quota Period 2, as established under Restriction Order 1, as amended,¹ issued by Office of Price Administration, transferred to the Department of Agriculture by Order dated March 31, 1943, issued by the Secretary of Agriculture and the Administrator of Office of Price Administration (8 F.R. 4151), or, in the absence of such established quota period, on March 27, 1943, or April 3, 1943, at the option of the slaughterer;

(ii) An aggregate quantity of pork greater than the aggregate quantity of pork in inventory on the last day of such slaughterer's Quota Period 2, as established under Restriction Order 1, as amended, issued by Office of Price Administration, transferred to the Department of Agriculture by Order dated March 31, 1943, issued by the Secretary of Agriculture and the Administrator of Office of Price Administration (8 F.R. 4151), or, in the absence of such established quota period, on March 27, 1943, or April 3, 1943, at the option of the slaughterer.

(2) The provisions of this order, or of any order or instruction issued by the Director pursuant thereto, shall be observed without regard to the rights of creditors, existing contracts, or payments thereunder.

(c) *Records and reports*. Every slaughterer shall maintain such records and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct and within such times as he may prescribe, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(d) *Audits and inspections*. Every slaughterer shall, upon request, permit inspections, at all reasonable times, of his stocks of beef and pork and the premises used in his business, and all of his books, records and accounts shall, upon request, be submitted to audit and inspection by the Director.

(e) *Territorial scope*. The provisions of this order shall apply only within any of the 48 States or the District of Columbia.

(f) *Petition for relief from hardship*. Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship on him may petition the Director in writing (in triplicate) for relief setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate and such action by the Director shall be final.

(g) *Violations*. Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant thereto, or who willfully conceals a material fact concern-

¹ 7 F.R. 7839; 8 F.R. 3201, 3328, 3372, 3416, 4151.

ing a matter within the scope of this order may be prohibited from receiving or making further deliveries of livestock or meats and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(h) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed be addressed to the Food Distribution Administration, Livestock and Meats Branch, Meat Purchase Division, 5 South Wabash Avenue, Chicago, Illinois, Ref: FD-48.

(i) *Delegation of authority.* The Director is hereby designated and empowered to administer the provisions of this order.

(j) *Effective date.* This order shall become effective on the date of its issuance.

(E.O. 9322, 8 F.R. 3807)

Issued this 6th day of April 1943.

[SEAL] CHESTER C. DAVIS,
Administrator Food Production
and Distribution Administration.

[F. R. Doc. 43-5439; Filed, April 7, 1943;
11:40 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Orders, Serial 2185]

PART 202—ACCOUNTS, RECORDS AND REPORTS

FORM OF REPORTS FOR FINANCIAL AND OPERATING STATISTICS OF INTERNATIONAL AIR CARRIERS

Adopted by the Civil Aeronautics Board at its offices in Washington, D. C. on the 8th day of March, 1943.

The Board, having on March 8, 1943, promulgated Amendment No. 5 to § 202.1 of the Economic Regulations requiring certain air carriers to report financial and operating statistics using the appropriate schedules of the Report of Financial and Operating Statistics of International Air Carriers, C. A. B. Form 2380; and

The Board acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly § 205 (a) and 407 (a) thereof, and finding its action necessary to carry out the provision of said Act, and to exercise its powers and perform its duties thereunder;

It is ordered, That the form of Report of Financial and Operating Statistics of International Air Carriers, C. A. B. Form 2380, be and the same is approved as attached hereto,¹ said report form to be

used for all reports for periods commencing on or after January 1, 1943.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-5446; Filed, April 7, 1943;
11:53 a. m.]

[Regulations, Serial 265]

PART 202—ACCOUNTS, RECORDS AND REPORTS

FORMS OF REPORTS OF FINANCIAL AND OPERATING STATISTICS

Amendment No. 5 of § 202.1¹

Adopted by the Civil Aeronautics Board at its offices in Washington, D. C., on the 8th day of March, 1943.

The Civil Aeronautics Board acting pursuant to the Civil Aeronautics Act of 1938 as amended, particularly sections 205 (a) and 407 (a) thereof, and deeming its action necessary to carry out the provisions of said Act, and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective March 8, 1943, paragraph (b) of § 202.1 of the Economic Regulations is hereby amended to read as follows:

§ 202.1 *Forms of reports of financial and operating statistics.* (b) Each other air carrier engaged in regularly scheduled air transportation (not including, however, foreign air carriers) shall for all periods subsequent to January 1, 1943, make periodic reports of financial and operating statistics to the Board using the appropriate schedules of the Report of Financial and Operating Statistics of International Air Carriers, C. A. B. Form 2380, and such amendments thereto as may hereafter be approved by the Board: *Provided*, That any such air carrier may request the approval of the Board to make its reports in accordance with the provisions of the Report of Financial and Operating Statistics of Domestic Air Carriers, C. A. B. Form 2780, and the amendments thereto, and upon obtaining the approval of the Board shall thereafter make its reports in the manner prescribed pursuant to part (a) of this section. Reports of air carriers reporting on C. A. B. Form 2380 shall be made in accordance with, and shall be filed with the Secretary of the Board at such times as are specified in, the instructions relating to reporting procedure contained in section 37 of the Uniform System of Accounts for International Air Carriers, dated January 1, 1943 (CAB Form 2380 Manual), and such amendments thereto as may hereafter be approved by the Board.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-5445; Filed, April 7, 1943;
11:53 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4305]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

A. & M. KARAGHEUSIAN, INC.

§ 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation:* § 3.6 (n) *Advertising falsely or misleadingly—Nature—Product:* § 3.66 (d) *Misbranding or mislabeling—Nature:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place—Foreign, in general:* § 3.96 (a) *Using misleading name—Goods—Nature:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place—Foreign, in general.* In connection with offer, etc., in commerce, of rugs or carpets, (1) using the words "Iranian" or "Hindustan" or any other word indicative of the Orient, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of Oriental rugs; (2) using the word "Mirastan" or any other word or combination of words or syllables, coined or otherwise, which are indicative of the Orient, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of Oriental rugs; or (3) using the word "reproduction" or any other word of similar import or meaning to designate or describe rugs which are not in fact reproductions of genuine Oriental rugs in all respects, including structure, method or manufacture, and material; prohibited, subject to the provision, however, that order herein shall not be construed as prohibiting the respondent from using the term "Gulistan" to designate or describe its rugs and carpets, provided there is used in immediate connection or conjunction therewith a statement which clearly and conspicuously states in appropriate terms that the rugs and carpets so designated and described are woven on power looms in the United States. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, A. & M. Karagheusian, Inc., Docket 4305, March 29, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of March, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission on the complaint of the Commission, answer of the respondent, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

¹ Filed as part of the original document.

¹ 7 F.R. 499, 5899, 9416, 10800.

It is ordered, That the respondent, A. & M. Karagheusian, Inc., a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of rugs or carpets in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Iranian" or "Hindustan" or any other word indicative of the Orient, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of Oriental rugs.

2. Using the word "Mirastan" or any other word or combination of words or syllables, coined or otherwise, which are indicative of the Orient, to designate or describe rugs which are not in fact made in the Orient and which do not possess all the essential characteristics and structure of Oriental rugs.

3. Using the word "reproduction" or any other word of similar import or meaning to designate or describe rugs which are not in fact reproductions of genuine Oriental rugs in all respects, including structure, method of manufacture, and material.

It is further ordered, That no provision of this order to cease and desist shall be construed as prohibiting the respondent from using the term "Gulistan" to designate or describe its rugs and carpets, provided there is used in immediate connection or conjunction therewith a statement which clearly and conspicuously states in appropriate terms that the rugs and carpets so designated and described are woven on power looms in the United States.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-5435; Filed, April 7, 1943;
11:19 a. m.]

[Docket No. 4630]

PART 3—DIGEST OF CEASE AND DESIST
ORDERS

ATMORAY, INC., ET AL.

§ 3.6 (t) Advertising falsely or misleadingly—Qualities or properties of product or service: § 3.6 (x) Advertising falsely or misleadingly—Results: § 3.6 (y) Advertising falsely or misleadingly—Safety: § 3.71 (e) Neglecting, unfairly or deceptively, to make material disclosure—Safety. In connection with offer, etc., of respondents' "Atmoray" or any other similar device, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondents' said device, which advertisements represent, directly or by implication, (1)

that respondents' device constitutes a cure or remedy for, or possesses any therapeutic value in the treatment of, sinusitis, head colds, asthma, hay fever, bronchitis, tuberculosis, pneumonia, respiratory diseases generally, dyspepsia, constipation, colitis, nervousness, melancholia, insomnia, neurasthenia, weakness, run-down conditions, anemia, blood poisoning, blood diseases, and numerous other ailments, diseases and conditions, as in order set forth; or (2) that respondents' device, or the product thereof in the quantities produced, is an effective oxidizing, germicidal, or disinfecting agent; or which advertisements (3) fail to reveal that the safety of respondents' device depends upon the output of the particular machine used, the size of the room in which the machine is operated, the ventilation, and the length of time the machine is operated; that the concentration of ozone should not in any case be permitted to exceed one-half part of ozone per million parts of air; that proximity to the machine should be avoided; and that the inhalation of an excessive amount of ozone may result in irritation of the respiratory organs; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b). [Cease and desist order, Atmoray, Inc., et al., Docket 4630, April 2, 1943].

In the Matter of Atmoray, Inc., a Corporation, and Atmozone (Referred to in the Complaint as Atmozone, Inc.), a Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2nd day of April, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of respondents, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, in support of the allegations of the complaint and in opposition thereto, report of the trial examiner upon the evidence, and briefs in support of and in opposition to the complaint (oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Atmoray, Inc., a corporation, and Atmozone (referred to in the complaint as Atmozone, Inc.), a corporation, and their officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of respondents' device designated "Atmoray," or any other device of substantially similar character, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or by implication,

(a) That respondents' device constitutes a cure or remedy for, or possesses any therapeutic value in the treatment of, sinusitis, head colds, asthma, hay fever, bronchitis, tuberculosis, pneumonia, respiratory diseases generally, dyspepsia, constipation, colitis, nervousness, melancholia, insomnia, neurasthenia, weakness, run-down conditions, anemia, blood poisoning, blood diseases, headache, inactive liver or kidneys, kidney or prostate gland trouble, liver or bladder infections, infectious diseases generally, syphilis, sugar diabetes, rheumatism, arthritis, neuritis, paralysis, cancer, ulcers of the stomach, heart trouble, cataracts, defective eyesight, deafness, or any other disease or disorder of the human body; or

(b) That respondents' device, or the product thereof in the quantities produced, is an effective oxidizing, germicidal, or disinfecting agent.

2. Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement fails to reveal that the safety of respondents' device depends upon the output of the particular machine used, the size of the room in which the machine is operated, the ventilation, and the length of time the machine is operated; that the concentration of ozone should not in any case be permitted to exceed one-half part of ozone per million parts of air; that proximity to the machine should be avoided; and that the inhalation of an excessive amount of ozone may result in irritation of the respiratory organs.

3. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondents' device, which advertisement contains any representation prohibited in paragraph 1 hereof or which fails to contain the warning set forth in paragraph 2 hereof.

It is further ordered, That the respondents shall, within ten (10) days after service upon them of this order, file with the Commission an interim report in writing stating whether they intend to comply with this order, and, if so, the manner and form in which they intend to comply; and that within sixty (60) days after the service upon them of this order, the respondents shall file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

It is further ordered, That the complaint be, and it hereby is, dismissed as to the point with respect to the effectiveness of respondents' device as a deodorizing agent without prejudice to the right of the Commission, should the facts so warrant, to reopen the proceeding or to institute a new proceeding on such point.

By the Commission.

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-5436; Filed, April 7, 1943;
11:19 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50841]

PART 16—TRANSPORTATION IN BOND AND
MERCHANDISE TRAFFIC

MISCELLANEOUS AMENDMENTS

Articles 890, 903, 910, and 915 of the Customs Regulations of 1937, as amended by T.Ds. 50648 and 50661 (7 F.R. 4320, 4824), further amended. [This document affects 19 CFR 16.18, 16.28, 16.34, and 16.39.]

In order to comply with a request of the Bureau of the Census, Department of Commerce, that a statistical copy of all transportation in bond entries be forwarded to the Section of Customs Statistics, Division of Foreign Trade Statistics, 432 Customhouse, New York, N. Y., the Customs Regulations of 1937 are hereby amended as follows:

Section 16.18, 16.28 (a) and 16.39 (a) [Articles 890, 903 (a), and 915 (a)], as amended by T.Ds. 50648 and 50661, are further amended by inserting a period after the word "purposes" in the last sentence, which was added by T.D. 50648, and deleting the rest of the sentence. (Secs. 463, 553, 554, 624, 46 Stat. 718, 742, 759, sec. 21, 52 Stat. 1087; 19 U.S.C. 1463, 1553, 1554, 1624)

Section 16.34 (a) (1) [Article 910 (a) (1)], as amended by T.Ds. 50648 and 50661, is also further amended by deleting the following from the last sentence, which was added by T.D. 50648, "in instances where merchandise arrives by vessel and direct exportation thereof is made". (R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

The information to be obtained from these entries is desired for the calendar year of 1943. Collectors' copies of all transportation in bond entries made in 1943 prior to the furnishing of the statistical copy, above referred to, shall therefore be forwarded to the Section of Customs Statistics in New York with request that such collectors' copies be returned to the collectors when they have served their purpose.

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: April 3, 1943.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-5418; Filed, April 6, 1943;
3:31 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (d), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 944—REGULATIONS APPLICABLE TO THE
OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 13, as Amended April 7, 1943]

SPECIAL SALES OF INDUSTRIAL MATERIALS

§ 944.34 Priorities Regulation 13—(a)
Purpose. The purpose of this regulation

is to provide uniform rules governing special sales of idle or excess industrial materials by persons who are not regularly engaged in the business of selling such materials, including distress and liquidation sales and sales by persons who, by reason of the effect of priority orders or for other reasons, cannot use such materials in the regular course of their business.

This regulation does not authorize receipt or use of any such materials by any person in violation of any inventory, quota or use restrictions imposed by any order or regulation.

This regulation applies only to special sales of industrial materials; other sales or transfers remain subject to the provisions of all applicable orders and regulations.

(b) *Definitions.* For the purposes of this regulation:

(1) "Sale" of an item includes any public or private sale, auction sale, sale upon foreclosure of any lien or mortgage, or delivery of such item in exchange for money or for any other property and the sale of any warehouse receipt, bill of lading or other document evidencing an interest in such item but does not include the pledge or mortgage or other creation of any lien upon such item or the transfer of possession of such item without any transfer of title.

(2) "Special sale" means any sale of any item by any person who does not regularly in the course of his business sell such item in the same form, including a sale by any auctioneer, receiver, trustee in bankruptcy, public official or other person acting in a fiduciary or representative capacity (except when made in the course of carrying on the business of an insolvent or bankrupt person or other person whose business is in the hands of such fiduciary or representative), or any other sale made in the course of liquidating a business or the assets of a business.

(3) "Industrial material" means any commodity or unassembled part or product except the following, which are not included:

(i) Scrap;
(ii) Products which either are being rationed at the retail level by the Office of Price Administration or any other governmental agency, or are excluded from the effect of War Production Board orders and regulations because their distribution is being controlled by some other governmental agency, such as the Petroleum Administration for War in the case of certain petroleum products and the Department of Agriculture in the case of foods and certain fats and oils;

(iii) Medicines or other products for human or animal consumption;

(iv) Tools, machinery, assembled equipment or any other assembled product;

(v) Finished consumers' goods which are in the form in which they are used by ultimate consumers and which do not require, in order to be used, to be further processed or made part of a building, structure or assembly, or affixed to a building, structure or assembly.

(4) "Restricted industrial material" means any industrial material consist-

ing in whole or substantial part of one or more materials listed on Schedule A attached.

(5) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(6) Any reference to any order, regulation or other action of the War Production Board includes any action heretofore taken by the Director General for Operations or the Director of Industry Operations of the War Production Board or the Director of Priorities of the Office of Production Management.

(c) *Permitted special sales.* Subject to paragraph (e) (2) of this regulation the following special sales are permitted:

(1) A special sale of any new or used industrial material which is not a restricted industrial material may be made to any person without restriction.

(2) A special sale of any new or used restricted industrial material may be made if the sale falls within one of the following categories, and no special sale of any restricted industrial material may be made unless such sale falls within one of the following categories:

(i) A sale to any of the following governmental agencies or to any person buying as agent for any such agency: Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve Company, Rubber Reserve Company and any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended; or

(ii) A sale pursuant to a specific authorization of the War Production Board naming the seller and identifying the particular sale to be made; or

(iii) A sale of a single lot of restricted industrial materials of the same class and composition (other than materials listed in Schedule B attached) if the total value of the seller's holdings of those materials is less than \$100. This exception does not permit the dividing of a single lot having a value of over \$100 into smaller lots and selling such smaller lots for less than \$100 under this subparagraph.

(iv) A sale of any "controlled material", as defined in CMP Regulation 1, to fill any "authorized controlled material order", as described in that regulation.

(v) A sale to any person falling within a class indicated on Schedule A attached as being a class to whom the particular restricted industrial material may be sold: *Provided*, That when any alloy, compound, mixture, or product is not listed as such on Schedule A and contains a significant amount of more than one material, the sale shall be made only to a person to whom all such contained materials may be sold. A sale of a plated item shall be governed by the basic material, disregarding the plating.

(3) In addition to the provisions of paragraph (c) (2) above, any person may make a special sale of any restricted industrial material to another person engaged in the same business as the seller if an order or other action of the War Production Board applicable generally to persons engaged in such business expressly permits such a sale.

(d) *Intra-company transfers.* Any person may transfer, otherwise than by sale, any industrial material to another department, branch, division or section of his business or to a wholly owned subsidiary or affiliate or to another person under common ownership or control, provided such transfer would have been a special sale permitted under this regulation had the transfer been made for money or other consideration.

(e) *Effect on other orders and regulations.* (1) Any sale which is not a special sale, and any transfer or disposition of anything other than industrial materials, shall remain subject to the provisions of all applicable orders and regulations.

(2) The provisions of this regulation shall control all special sales of industrial materials although inconsistent with any order or regulation of the War Production Board heretofore or hereafter issued unless such order or regulation expressly provides to the contrary and refers to this regulation. In the case of any special sale of industrial materials made under the terms of this regulation, delivery of the material sold may be accepted by the buyer, despite any provision of any order or regulation which would otherwise forbid such acceptance except that:

(i) Nothing in this regulation shall affect any provision contained in any order or regulation of the War Production Board which imposes any quota or other limitation on the amount any buyer may purchase, receive or produce, or which imposes any limitations on the amount of inventory of any person or any restrictions upon the use of any material; and

(ii) This regulation shall not affect any provision of any applicable order or regulation of the War Production Board requiring a buyer to make any reports or to furnish any information in connection with a purchase; and

(iii) No seller shall make any special sale if he knows or has reason to believe that the purchase or acceptance of delivery by the buyer would violate any inventory or quota restrictions imposed on the buyer by any order or regulation

or that the buyer is acquiring the material for a use which would be in violation of any order or regulation.

(f) *Records and reports.* (1) Any person making a special sale of any industrial material which he has reported to the War Production Board as idle or excess material in connection with any material recovery program, such as the programs operated through Copper Recovery Corporation and Steel Recovery Corporation, shall promptly send to the operating headquarters of the program a copy of the invoice of sale or other notice of the sale.

(2) Any person making any special sale of industrial materials must maintain at his regular place of business all documents, including purchase orders and preference rating orders and certificates, upon which he relies as entitling him to make such sale. Such records shall be kept segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(g) *Listing of inventories.* Any person eligible to make a special sale, may list his idle, excess or frozen inventories of industrial materials with his regional office of the War Production Board, which office will assist him to dispose of them.

(h) *Communications.* All communications concerning this regulation shall be addressed to the War Production Board, Redistribution Division, Washington, D. C., Ref.: P. R. 13 or to a district or regional office of the War Production Board, attention Redistribution Manager.

Issued this 7th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Explanatory note: This schedule relates only to special sales made under paragraph (c) (2) (v) of this regulation. Any purchaser of material through a special sale must comply with all inventory, quota, use restrictions, reports and use certificates imposed or required by other orders and regulations.

When an alloyed material, or a physically or chemically compounded material, is shown in this table, the conditions that govern the special sale of the alloyed or compounded material are those shown for the alloy or compound and not those shown for the constituent elements or parts. For example, the conditions under which solder may be sold are those shown for the restricted industrial material "Solder" and not those shown for "Tin" or "Lead" or "Antimony". When any alloy, compound, mixture, or product is not listed as such on Schedule A and contains a significant amount of more than one restricted industrial material, the sale shall be made only to a person to whom all such contained restricted industrial materials may be sold. Plated items are governed by the basic material, disregarding the plating.

The word "No" appearing in any column in this schedule means that a holder may not sell the particular restricted industrial material to any person in the class to which that column applies unless the sale is otherwise permitted by this regulation. Specific authorization to make a sale not permitted by the provisions of this schedule, nor otherwise permitted under the regulation may be requested on Form PD-470 or by letter giving full details.

The letters "PR" mean Preference Rating, and wherever they appear in any column, mean that the holder may sell the particular restricted industrial material to any person in the class to which that column applies, but only provided that such person places with the holder an order for the material bearing a duly applied or extended preference rating equal to or higher than the rating shown immediately after the letters "PR". For example, "PR AA-5", which appears opposite the restricted industrial materials, "All other carbon and alloy steels" in the column headed "Users permitted to buy and use under existing WPB Orders" means that the holder may sell to any user who places an order for an unassembled product containing carbon or alloy steel (other than products specifically listed, such as rails) if that order bears a duly applied or extended preference rating of AA-5 or higher.

The letters "W. O. P." mean "Without Preference Rating, Allocation, or other Authorization" and wherever they appear in any column mean that the holder may sell the particular restricted industrial material to any person in the class to which that column applies without any preference rating, allocation, or other authorization.

The letter "X" means "Not applicable". Wherever an asterisk (*) appears, refer to the note in the "Remarks" column.

Restricted industrial material	Classes of buyers to whom special sales of restricted industrial materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation				Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy and use under existing WPB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART I—METALS AND METALLIC ORES					
Alloy steel (see Steels).	No.....	No.....	No.....	No.....	
Alumina.....	No.....	No.....	No.....	No.....	
Aluminum.....	W. O. P.....	No.....	W. O. P.*.....	W. O. P.*.....	*Only to approved reprocessors and wholesale dealers. Lists available at WPB offices.
Paint (see Part III).					
Powder as pigment*.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	*In form usable for paste or paint.
Antimony.....	W. O. P.....	W. O. P.**.....	W. O. P.**.....	W. O. P.....	*Includes ores and concentrates, metal, liquated antimony and any alloy containing 50% or more of antimony by weight. ** A buyer may purchase not more than 2,240 lbs. of contained antimony in any one month.
Chemicals (see Chemicals).					
Antimonial lead (see Lead).					

Restricted industrial material	Classes of buyers to whom special sales of restricted industrial materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation				Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy and use under existing WPB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART I—METALS AND METALLIC ORES—Continued					
Babbitt (see Tin).	No.	No.	No.	No.	*Includes ores, concentrates, and metal beryllium.
Bauxite.	W. O. P.	No.	No.	W. O. P.	
Beryllium*.	W. O. P.	No.	No.	W. O. P.	
Bismuth.	W. O. P.	No.	No.	W. O. P.	
Brass (see Copper).					
Brass mill and wire mill products (see Copper).					
Bronze (see Copper).					
Cadmium:					
Cadmium*.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes metallic cadmium in all forms, residues, dross, and other cadmium bearing material.
Chemicals (see Chemicals).					
Calcium-silicon*.	W. O. P.	No.	X.	W. O. P.	
Carbon steel (see Steels).					
Cast iron products (see Iron).					
Chromium*.	W. O. P.	No.	X.	W. O. P.	*Includes ores, concentrates, metal, chromium containing materials commercially suitable for alloying and chromium refractory products and materials.
Cobalt*.	W. O. P.	No.	No.	W. O. P.	*Includes ores, concentrates, crudes, residues, and all material from which cobalt is commercially recoverable.
Copper:					
In the case of all sales made under this regulation, of copper or of copper base alloy items which have previously been reported to War Production Board, care of Copper Recovery Corporation, 206 Madison Avenue, New York, N. Y., the seller must send a copy of the invoice or other notice of sale to that address.					
Copper ingots and refinery shapes.	W. O. P.	No.	X.	No.	
Copper base alloy ingots (40% or more copper by weight).	W. O. P.	No.	X.	No.	
Brass mill products.	W. O. P.	PR AA-5.	X.	No.	
Wire mill products, bare or insulated.	W. O. P.	PR AA-5.	X.	No.	
Copper and copper base alloy foundry products.	No.	PR AA-5.	X.	PR AA-5.	
Copper chemicals (see Chemicals).					
Cryolite.	No.	No.	No.	No.	
Electrical resistance material*.	No.	No.	W. O. P.**	No.	
Ferroalloys*.					*Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat. **Only used material.
Inconel (see Nickel).					*May be sold as provided for principal non-ferrous element.
Iridium.	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Iron:					*Does not include materials commonly known as "ferro-alloys".
Alloy iron castings*.	W. O. P.	PR A-1-k.	W. O. P.	X.	
Malleable iron castings.	W. O. P.	PR A-9.	W. O. P.	W. O. P.	
Pig iron.	W. O. P.	No.	No.	No.	
Wrought iron.	W. O. P.	PR A-9.	W. O. P.	W. O. P.	
Cast iron products.	W. O. P.	PR A-9.	W. O. P.	W. O. P.	
Lead:					
Lead.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimonial lead.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Lithium:					
Lithium ore.	W. O. P.	No.	No.	No.	
Lithium chemicals (see Chemicals).					
Magnesium.	W. O. P.	W. O. P.	W. O. P.*	No.	*Only to approved reprocessors. Lists available at WPB offices.
Mercury:					
Mercury.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Mercury chemicals (see Chemicals).					
Molybdenum*.	W. O. P.	No.	W. O. P.	W. O. P.	
Monel (see Nickel).					
Nickel:					
Nickel pig, ingot, cathode, pellet, shot and anode.	W. O. P.	No.	No.	W. O. P.	
Other nickel* (including monel and inconel).	W. O. P.	PR AA-5.	No.	W. O. P.	*Includes any other alloyed or unalloyed metallic nickel, ferro nickel, matte and materials from which nickel is commercially recoverable.
Chemicals (see Chemicals).					
Nickel steel (see Steels).					
Osmium*.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Can be used only in electrical contacts.
Pig iron (see Iron).					
Platinum:					
Platinum.	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Rhodium:					
Rhodium.	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Chemicals (see Chemicals).					
Silver:					
Foreign silver.	W. O. P.	PR A-1-a.	W. O. P.	W. O. P.	
Domestic silver.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Solder.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Stainless steel (see Steels).					

Restricted industrial materials	Classes of buyers to whom special sales of restricted industrial materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation				Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy and use under existing WPB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART I—METALS AND METALLIC ORES—Continued					
Steels:					
In the case of all sales made under this regulation, of steel or of steel base alloy items which have previously been reported to War Production Board, care of Steel Recovery Corporation, 6835 Baum Boulevard, Pittsburgh, Pa., the seller must send a copy of the invoice or other notice of sale to that address.					
Rails and track accessories*	No	No	No	No	*See I-88.
Tin plate,terne plate and tin mill black plate*	W. O. P.	PR A-10.	X	PR A-10.	*Subject to limitations of M-21-c.
All other carbon and alloy steels	W. O. P.*	PR AA-5.	PR AA-5.	PR AA-5.	*Also includes non-integrated steel producers who further process steel.
Tantalum*	No	No	X	No	*Includes ores, ferro-tantalum, concentrates and materials containing commercially recoverable tantalum.
Terne plate (see Steels).					
Tin:					
Tin	No	No	No	No	
Babbitt	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin solder (see Solder).	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin bearing alloys	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Foil	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin mill black plate (see Steels).					
Tin plate (see Steels).					
Tool steel (see Steels).					
Tungsten*	W. O. P.	No	W. O. P.	W. O. P.	*Includes ores, concentrates, powder, metal in all forms, ferro-tungsten, and other materials containing commercially recoverable tungsten.
Uranium*	W. O. P.	No	W. O. P.	W. O. P.	*Includes metal, crude ores, residues, matte and any alloy or mixture containing 1/10 of 1% or more uranium by weight.
Vanadium*	W. O. P.	No	W. O. P.	W. O. P.	*Includes ores, concentrates, metal, ferro-vanadium, and material containing commercially recoverable vanadium.
Welding rods and electrodes	W. O. P.	PR AA-5.	X	W. O. P.	
Wrought iron (see Iron).					
Zinc:					
Zinc	W. O. P.	PR AA-5.	W. O. P.	W. O. P.	
Chemicals (see Chemicals).					
Dust	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Only for use on Military orders.
PART II—CHEMICALS					
Acetate, vinyl (and polymers of)	W. O. P.	No	X	No	
Acetic anhydride*	W. O. P.	No	X	W. O. P.	*Also called ethanoic anhydride, acetyl oxide and acetic oxide.
Acids:					
Acetic	W. O. P.	W. O. P.	X	W. O. P.	
Arsenious*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Also called arsenic trioxide and white arsenic.
Naphthenic	W. O. P.	No	X	W. O. P.	
Sulfamic*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Including fire retardant derivatives.
Sulfuric	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tannic U. S. P.	W. O. P.	W. O. P.*	X	W. O. P.	*Use certification required.
Acrylic monomer*	No	No	X	No	*Unpolymerized esters of acrylic and methacrylic acids.
Acrylic resins*	No	No	X	No	*Polymerized form of esters of acrylic and methacrylic acids in forms specified in M-260.
Acrylonitrile*	W. O. P.	W. O. P.	X	W. O. P.	*Also called vinyl cyanide.
Agar	W. O. P.	W. O. P.	X	W. O. P.	
Alcohols:					
Butyl*	W. O. P.	No	X	W. O. P.	*Includes Isobutyl, secondary butyl, and tertiary butyl.
Capryl*	W. O. P.	No	X	W. O. P.	*Also called methyl hexyl carbinol or 2-Octanol.
Ethyl	W. O. P.	W. O. P.	X	W. O. P.	
Hexahydric*	W. O. P.	No	X	W. O. P.	*As defined in M-270.
Isopropyl*	W. O. P.	No	X	W. O. P.	*Also called secondary propanol.
Methyl (methanol)	W. O. P.	No	X	W. O. P.	
Alkanolamines	W. O. P.	No	X	W. O. P.	
Aluminum hydrate	No	No	No	No	
Aluminum chloride, anhydrous	W. O. P.	W. O. P.	X	W. O. P.	
Ammonia:					
By-product ammonia*	W. O. P.	No	X	W. O. P.	*Includes salts and solutions.
Sulphate of ammonia*	W. O. P.	No	X	W. O. P.	*Containing 20.5% nitrogen or less.
Synthetic ammonia*	W. O. P.	No	X	W. O. P.	*Includes salts and solutions.
Ammonium sulfamate	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Aniline, aniline oil, and aniline salts	W. O. P.	No	X	W. O. P.	
Antimony sulphide	W. O. P.	W. O. P.*	W. O. P.*	W. O. P.	*A buyer may purchase in any one month not more than 2240 lbs. of contained antimony.
Antimony oxide	W. O. P.	W. O. P.*	W. O. P.*	W. O. P.	*A buyer may purchase in any one month not more than 2240 lbs. of contained antimony.
Antimony chemicals, other	W. O. P.	W. O. P.	X	W. O. P.	
Aromatic petroleum solvents* (excluding toluol and benzol).	W. O. P.	No	X	W. O. P.	*Includes solvents or naphthas of petroleum origin containing more than 30% of aromatic hydrocarbons and all grades of Xylol.
Barbasco root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Benzene	W. O. P.	No	No	W. O. P.	
Benzene containing oils	W. O. P.	No	No	W. O. P.	
Beryllium chemicals	W. O. P.	No	No	W. O. P.	
Butadiene	W. O. P.	W. O. P.	X	W. O. P.	
2-butanol	W. O. P.	No	X	W. O. P.	

Restricted industrial material	Classes of buyers to whom special sales of restricted industrial materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation				Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy and use under existing WFB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART II—CHEMICALS—Continued					
Butyl alcohol	W. O. P.	No	X	W. O. P.	
Butyl phthalyl butyl glycolate	W. O. P.	W. O. P.	X	W. O. P.	
Cadmium chemicals	W. O. P.	No	No	W. O. P.	
Calcium carbide	W. O. P.	W. O. P.	X	W. O. P.	
Calcium hypochlorite, high test*	W. O. P.	No	X	No	*Available chlorine content 65% or more by weight.
Carbolates, containing 10% or more of phenols (see Phenols)					
Carbon black, furnace type	W. O. P.	W. O. P.	X	W. O. P.	
Carbon tetrachloride	W. O. P.	PR A-10	W. O. P.	W. O. P.	
Castor oil phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Cellulose acetate*	W. O. P.	W. O. P.	X	X	*In primary unfabricated forms.
Cellulose acetate butyrate*	W. O. P.	W. O. P.	X	X	*In primary unfabricated forms.
Cellulose nitrate, plasticized*	W. O. P.	W. O. P.	X	X	*In primary unfabricated forms, except that used in explosives and protective coatings.
Charcoal	W. O. P.	W. O. P.	X	W. O. P.	
Chlorate and perchlorate chemicals*	W. O. P.	No	No	W. O. P.	*Includes potassium, sodium and barium chlorates; potassium and ammonium perchlorates; perchloric acid; and any other chlorate or perchlorate chemical.
Chlorethylene	W. O. P.	PR A-10	W. O. P.	W. O. P.	
Chloride of lime*	W. O. P.	W. O. P.	X	W. O. P.	*Calcium hypochlorite with available chlorine content of from 30 to 65% by weight.
Chlorine	W. O. P.	No	X	W. O. P.	
Chlorinated hydrocarbon refrigerants*	W. O. P.	W. O. P.	X	W. O. P.	*Methane and ethane refrigerants as specified in M-28.
Chlorinated hydrocarbon solvents	W. O. P.	PR A-10	W. O. P.	W. O. P.	
Chlorinated rubber (see Rubber, Part III)					
Cobalt oxide	W. O. P.	No	X	W. O. P.	
Copper carbonate	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper chloride	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper cyanide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper nitrate	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper oxide	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Copper sulphate	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cotton pulp, chemical	W. O. P.	No	X	W. O. P.	
Cresols: ortho, meta, and para	W. O. P.	No	No	W. O. P.	
Cube root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cyanamid	W. O. P.	No	X	W. O. P.	
Derris root	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Diamyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Di-butoxo ethyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Dibutyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Dicapryl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Dichloroethyl ether	W. O. P.	No	No	W. O. P.	
Dicyandiamide	W. O. P.	No	X	W. O. P.	
Di-cyclohexyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Diethanolamine	W. O. P.	No	X	W. O. P.	
Diethyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Di-2-ethyl hexyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Di-ethoxy ethyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Di-methylecyclohexyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Dimethyl phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Diphenylamine*	W. O. P.	No	X	W. O. P.	*Also called phenylaniline.
Dyestuffs, organic	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Ethyl acetate	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Ethyl cellulose	W. O. P.	W. O. P.	X	W. O. P.	
Ethyl chloride	W. O. P.	W. O. P.	X	W. O. P.	
Ethylene dichloride	W. O. P.	PR A-10	W. O. P.	W. O. P.	
Ethyl phthalyl ethyl glycolate	W. O. P.	W. O. P.	X	W. O. P.	
Formaldehyde	W. O. P.	No	X	W. O. P.	
Furfural	W. O. P.	No	X	W. O. P.	
Glycols*	W. O. P.	No	X	W. O. P.	*Includes ethylene, diethylene, triethylene, and propylene.
Guanidine	W. O. P.	No	X	W. O. P.	
Hexamethylenetetramine	W. O. P.	No	X	W. O. P.	
Hydrogenated castor oil phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Isobutyl castor oil phthalate	W. O. P.	W. O. P.	X	W. O. P.	
Lithopone	W. O. P.	W. O. P.	X	W. O. P.	
Lithium chemicals*	W. O. P.	No	No	W. O. P.	*Excluding crude lithium sodium phosphate.
Manitol	W. O. P.	No	X	W. O. P.	
Melamine	W. O. P.	No	X	W. O. P.	
Mercury chemicals	W. O. P.	W. O. P.	X	W. O. P.	
Methacrylic acid (see acrylic monomer and acrylic resins)					
Methanol	W. O. P.	No	X	W. O. P.	
Methyl ethyl ketone	W. O. P.	No	X	W. O. P.	
Methyl phthalyl ethyl glycolate	W. O. P.	W. O. P.	X	W. O. P.	
Mineral oil polymers	W. O. P.	W. O. P.	X	W. O. P.	
Monoethanolamine	W. O. P.	No	X	W. O. P.	
Naphthalene	W. O. P.	No	W. O. P.	W. O. P.	
Naphthanates*	W. O. P.	No	X	W. O. P.	*Excluding crude or refined sodium naphthanate intended for manufacture of other naphthanates.
Naphthenic acid	W. O. P.	No	X	W. O. P.	
Nickel chemicals*	W. O. P.	No	No	W. O. P.	*Salts, oxides, and carbonates.
Nitrocellulose, soluble	No	No	X	No	
Oleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Paraffin, chlorinated*	W. O. P.	W. O. P.	X	W. O. P.	*Chlorine derivatives of paraffin wax containing 20% or more of chlorine.
Paraformaldehyde	W. O. P.	No	X	W. O. P.	
Pentaerythritol	W. O. P.	No	X	W. O. P.	

Restricted industrial material	Classes of buyers to whom special sales of restricted industrial materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation				Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy and use under existing WPB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART II—CHEMICALS—Continued					
Perchlorate chemicals.....	W. O. P.	No.	No.	W. O. P.	*As defined in M-188. Includes products known variously to the trade as mahogany soap, mahogany sulfonate, sodium sulfonate, soap base, oil or water soluble sulfonates and their metallic salts whether in crude or refined form. *Includes: phenol, cresols and Xylenols and mixtures thereof.
Perchloroethylene.....	W. O. P.	PR A-10.	W. O. P.	W. O. P.	
Perchloric acid.....	W. O. P.	No.	No.	W. O. P.	
Petroleum sulfonates*.....	W. O. P.	W. O. P.	X.	W. O. P.	
Phenols (tar acids)*.....	W. O. P.	No.	No.	W. O. P.	*Tricresyl and triphenyl. *As defined in M-203.
Phosphorus (yellow and white).....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Phthalic anhydride.....	W. O. P.	W. O. P.	X.	W. O. P.	
Plasticisers:					
Phosphate*.....	No.	No.	X.	No.	*Tricresyl and triphenyl. *As defined in M-203.
Phthalate*.....	W. O. P.	W. O. P.	X.	W. O. P.	
Plastics:					
Polymerized:					
Laminated or cast phenolic condensation products in sheet, tube or rod form.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Unpolymerized:					
Heat reactive synthetic resins and compounds in primary forms.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Platinum chemicals.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Polyvinyl acetal.....	W. O. P.	No.	X.	W. O. P.	
Polyvinyl butyral resin.....	W. O. P.	No.	X.	W. O. P.	
Polyvinyl formal.....	W. O. P.	No.	X.	W. O. P.	
Potash salts.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Potassium tantalum fluoride.....	No.	No.	X.	No.	
Pyrethrum.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Pyridine.....	W. O. P.	No.	No.	W. O. P.	
Resin:					
Natural*.....	W. O. P.	W. O. P.	X.	W. O. P.	*As defined in M-56 (does not include shellac or pine resin or products made therefrom).
Para-phenyl-phenol.....	W. O. P.	No.	X.	W. O. P.	
Phthalic alkyd.....	W. O. P.	No.	X.	W. O. P.	
Synthetic.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rhodium chemicals.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rotenone.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rubber, synthetic (see Rubber, Part III).					
Shellac.....	No.	No.	X.	No.	
Sodium nitrate.....	W. O. P.	W. O. P.	X.	W. O. P.	
Sorbitol (d): (see Hexahydric alcohol).					
Styrene*.....	W. O. P.	W. O. P.	X.	W. O. P.	*In primary unfabricated forms.
Synthetic resins: (see Resins).					
Synthetic rubber (See Rubber, Part III).					
Tantalum chemicals*.....	No.	No.	X.	No.	*Potassium tantalum fluoride, tantalum oxide, tantalum carbide.
Timbo root.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Toluene (toluol)*.....	W. O. P.	No.	No.	W. O. P.	*As defined in M-34.
Tributyl glycerol triphthalate.....	W. O. P.	W. O. P.	X.	W. O. P.	
Triethanolamine.....	W. O. P.	No.	X.	W. O. P.	
Tuba root.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Uranium chemicals.....	W. O. P.	No.	W. O. P.	W. O. P.	
Vanadium chemicals*.....	W. O. P.	No.	W. O. P.	W. O. P.	*As defined in M-23-a.
Vat dyes (see Dyestuffs).					
Vinyl Polymers*.....	W. O. P.	No.	X.	W. O. P.	*Plasticised or unplasticised polymers and copolymers of vinyl acetate, vinyl chloride and polyvinyl alcohol and includes their condensation products.
Xylenols.....	W. O. P.	No.	No.	W. O. P.	
Xylol.....	W. O. P.	No.	X.	W. O. P.	
Zinc oxide.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Zinc sulphide pigments.....	W. O. P.	W. O. P.	X.	W. O. P.	
PART III—MISCELLANEOUS					
Agave fibre:					
Suitable for cordage.....	No.	No.	X.	No.	
Not suitable for cordage.....	No.	W. O. P.	X.	No.	
Asbestos fibre.....	W. O. P.	W. O. P.	X.	W. O. P.	
Asbestos textiles.....	W. O. P.	W. O. P.	X.	W. O. P.	
Balsa.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Bristles, pigs*, and hogs* (two inches and over).	W. O. P.	PR A-10.	W. O. P.	W. O. P.	*New or reclaimed.
Burlap*.....	W. O. P.	W. O. P.	X.	W. O. P.	*As defined in M-47, other Burlap same as jute products.
Cattlehides, calf and kip skins (raw).....	W. O. P.	W. O. P.	X.	W. O. P.	
Cattle tail hair*.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*New or reclaimed.
Coke, petroleum.....	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cork:					
Raw.....	W. O. P.	No.	X.	W. O. P.	
Manufactured and by-product.....	W. O. P.	W. O. P.	No.	No.	
Corundum*.....	W. O. P.	No.	No.	W. O. P.	*Emery, ruby, and sapphire not included.
Cotton duck (see Duck).					
Cotton, American extra staple, reserved*.....	W. O. P.	W. O. P.	X.	W. O. P.	*As defined in M-117.
Cotton, Egyptian, reserved*.....	W. O. P.	W. O. P.	X.	W. O. P.	*As defined in M-117. Use certification required.
Cotton linters*.....	W. O. P.	No.	X.	W. O. P.	*Produced after August 1, 1942.
Diamonds, industrial*.....	W. O. P.	PR A-1-j.	PR A-1-j.	PR A-1-j.	*Report sales as required by M-109.
Diamond dies.....	W. O. P.	No.	No.	No.	
Duck, Cotton*.....	W. O. P.	PR A-1-k**.	X.	W. O. P.	*Width 15' to 87". **No rating required for those stocks released by Army or Navy.

*Width 15" to 87". **No rating required for those stocks released by Army or Navy.

Restricted industrial material	Classes of buyers to whom special sales of restricted industrial materials may be made in accordance with this schedule, subject to paragraph (e) (2) of this regulation				Remarks
	Persons who produce material in the form in which it was purchased by holder	Users permitted to buy and use under existing WPB Orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	
(1)	(2)	(3)	(4)	(5)	(6)
PART III—MISCELLANEOUS—Continued					
Flax fibre and flax fibre products*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*As defined in M-284.
Goose and duck feathers*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Only new feathers.
Graphite, strategic grades*	No.	No.	No.	No.	*As defined in M-61.
Hemp seeds*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-82.
Hemp, Sunn*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-187.
Horsehide*	W. O. P.	W. O. P.	X	W. O. P.	*Suitable for military use.
Hull fibre*	W. O. P.	No.	X	W. O. P.	*Produced after August 1, 1942.
Istle, raw*	W. O. P.	W. O. P.	X	W. O. P.	*Unprocessed istle.
Jewel bearings	W. O. P.	No.	No.	W. O. P.	
Jewel bearing material (sapphire only)	W. O. P.	No.	No.	W. O. P.	
Jute:					
Raw jute	W. O. P.	W. O. P.	X	W. O. P.	
Jute products*	W. O. P.	W. O. P.	X	W. O. P.	*As defined in M-70.
Kapok* (new)	W. O. P.	W. O. P.	X	W. O. P.	*Except that grown in South or Central America.
Kyanite, Indian crude and calcined*	No.	No.	No.	No.	*Includes andalusite and sillimanite.
Leather, sole*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Suitable for military use.
Logs (see Woods).					
Loofa sponges*	W. O. P.	PR A-1-a	X	W. O. P.	*Suitable for military use.
Mahogany (see Woods).					
Manila fibre and cordage:					
Cordage*	W. O. P.	W. O. P.	No.	W. O. P.	*As defined in M-36.
Fibre*	No.	No.	No.	No.	*As defined in M-36. May be sold W. O. P. to the U. S. Navy.
Mica:					
Strategic	W. O. P.	W. O. P.	X	W. O. P.	
Splittings	W. O. P.	W. O. P.	X	W. O. P.	
Nutgalls	W. O. P.	W. O. P.*	X	W. O. P.	*Use certification required.
OD wool clips, rags, and waste (see Wool).					
Paint, aluminum	W. O. P.	No.	No.	W. O. P.	
Phosphate rock	W. O. P.	W. O. P.	X	W. O. P.	
Plywood (see Woods).					
Quartz crystals	X	No.	No.	No.	
Rattan (see Woods).					
Rayon yarn, high tenacity*	W. O. P.	No.	No.	No.	*As defined in paragraph (d) of M-37-d.
Rayon yarn, reserved	No.	No.	No.	No.	
Rubber:					
Latex and crude	No.	No.	No.	No.	
Balata	No.	No.	No.	No.	
Compounded latex	No.	No.	No.	No.	
Chlorinated	W. O. P.	No.	No.	X	
Synthetic	W. O. P.	No.	No.	X	
Reclaimed	W. O. P.*	W. O. P.*	W. O. P.*	No.	*With approval of Rubber Reserve Company.
Rubber products:					
Cement	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Elastic thread	No.	No.	X	No.	
Elastic fabrics	No.	No.	X	No.	
Yarn	No.	No.	X	No.	
Other products	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Silk:					
Raw	X	No.	X	No.	
Waste, noils, etc.*	No.	W. O. P.**	W. O. P.**	W. O. P.	*As defined in M-26. **Use certification required.
Used Hosiery	No.	W. O. P.**	W. O. P.**	W. O. P.	*As defined in M-26. **Use certification required.
Sole leather (see Leather).					
Wood pulp	No.	No.	X	No.	
Woods:					
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Logs:					
Douglas Fir	W. O. P.	W. O. P.	X	W. O. P.	
Noble Fir	No.	No.	No.	No.	
Sitka Spruce	No.	No.	No.	No.	
Western Hemlock, aircraft	No.	No.	No.	No.	
White Oak	W. O. P.	W. O. P.	X	W. O. P.	
Mahogany:					
Firsts, Seconds, Selects	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wormy grades (pattern stock)	W. O. P.	PR AA-1	PR AA-1	W. O. P.	
No. 1, common and poorer	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Plywood:					
Softwood	W. O. P.	PR AA-5	X	W. O. P.	
Hardwood	W. O. P.	W. O. P.	X	W. O. P.	
Rattan, round	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rattan, slab	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wool:					
Wool	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
OD Clips	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
OD Rags and waste	W. O. P.	W. O. P.	W. O. P.	W. O. P.	

SCHEDULE B

This schedule lists those war materials which are excluded from paragraph (c) (2) (iii). Sales may be made only in accordance with paragraphs (c) (2) (i), (ii), (iv), (v), and (c) (3).

(1) Electrical resistance material (material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat).

(2) Aluminum.

[F. R. Doc. 43-5440; Filed, April 7, 1943; 11:43 a. m.]

PART 3096—CONSERVATION OF PAPER AND PAPERBOARD

[Amendment 1 to General Conservation Order M-241-a as amended Feb. 8, 1943]

Section 3096.2 General Conservation Order M-241-a is hereby amended in the following respects:

Paragraph (b) (2) is amended to read as follows:

(2) From and after February 15, 1943, no converter shall manufacture out of

pulp, paper or paperboard any article or class of articles on List B except that for a period of 90 days from February 15, 1943, such converter may manufacture any article or class of articles on List B from pulp, paper or paperboard held by him in inventory on January 15, 1943.

(3) It shall be the duty of each converter to determine in the first instance which, if any, of his products are included among the articles and classes

of articles on List A and B. In case of doubt he may apply to the War Production Board, in writing, describing the product in question, for a specific ruling, by telegram or letter, determining whether or not the same is so included. The War Production Board may of its own motion in any case, by telegram or letter, issue a specific ruling determining whether or not a particular product of a particular converter is so included.

List A is amended to read as follows:

LIST A

Articles or class of articles	Percentages
Chair seat covers.....	75
Coasters and mats, such as beer mats, and coasters of the type commonly used for households, hotels, taverns, restaurants, etc.....	50
Dishes, plates and spoons.....	90
Dollies, mats (place, table and tray) and tray covers.....	60
Expansion pockets, unprinted.....	90
Facial tissue.....	90
File folders, unprinted.....	90
Fly paper.....	90
Laundry specialties to wit—	
(c) Collar supports.....	90
(b) Collar circles.....	
(a) Shirt bands (2" wide or less).....	
Napkins.....	95
Photo mounts.....	75
Salt and pepper shakers.....	90
Shelf and drawer lining—retail packages.....	60
Slippers.....	75
Tablecovers.....	60
Toilet tissue.....	110
Towels.....	95
Venetian blinds.....	90

List B is amended by deleting therefrom the following items:

Card table covers.
Decalcomania transfers (for noncommercial use).
Shelf and drawer lining—retail packages.
Tablecloths.
Venetian blinds.

Item (m) of List B under Novelties is amended to read as follows:

(m) Fireworks (except such items manufactured pursuant to duly authenticated orders from the Armed Forces)

Issued this 7th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5441; Filed, April 7, 1943;
11:43 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Regulation 1, Direction 3]

The following direction is issued pursuant to paragraph (t) of CMP Regulation No. 1 (8 F.R. 482, 1730, 2565, 2857) to all Copper Wire and Cable Producers.

(a) *April deliveries.* Except as otherwise expressly authorized by the War Production Board, orders for copper wire

mill products which have been approved heretofore on Form PD-59D and which were scheduled for delivery during April, 1943, shall not be displaced by any other order (including an authorized controlled material order), notwithstanding any provision in any CMP Regulation.

(b) *May and June deliveries.* (1) Except as otherwise expressly authorized by the War Production Board, authorized controlled material orders requiring May and June deliveries must be accepted and scheduled for delivery in accordance with the provisions of CMP Regulation No. 1 ahead of approved orders bearing preference ratings only.

(2) Where an allotment number is applied against an order previously placed, such order shall be deemed an authorized controlled material order as of the date the allotment number is received by the producer, and delivery of the order may be rejected if such allotment number is not received within such time in advance of delivery as is specified in CMP Regulation No. 1, Schedule III.

Issued this 6th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5443; Filed, April 7, 1943;
11:43 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Regulation 1, Direction 4]

The following direction is issued pursuant to paragraph (t) of CMP Regulation No. 1 (8 F.R. 482, 1730, 2565, 2857) to all Brass Mills.

(a) *April deliveries.* Except as otherwise expressly authorized by the War Production Board, orders for brass mill products which have been approved heretofore by the War Production Board on PD-59D or otherwise and which were scheduled for delivery during April 1943 shall not be displaced by any other order (including an authorized controlled material order) notwithstanding any provision in any CMP Regulation.

(b) *May and June deliveries.* (1) Except as otherwise expressly authorized by the War Production Board, authorized controlled material orders for May and June deliveries bearing program symbols other than N-1, O-1 or O-4 shall be accepted up to 100% of the amount established in each category in production directives previously issued. In the absence of any such production directive, such orders shall be accepted up to 100% of capacity. Production of such orders during May and June shall be in accordance with CMP regulations and all such orders accepted must be reported to the WPB Copper Division on the appropriate forms in accordance with previous instructions.

(2) Orders bearing program symbols N-1, O-1 and O-4 for May and June delivery shall be accepted and produced only in accordance with detailed instructions which will be issued to each brass mill.

(3) Where an allotment number is applied against an order previously placed, such order shall be deemed an authorized controlled material order as of the date the allotment number is received by the producer, and delivery of the order may be rejected if such allotment number is not received within the time in advance of delivery specified in CMP Regulation No. 1, Schedule III.

Issued this 6th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5444; Filed, April 7, 1943;
11:43 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 3, Direction 1]

§ 3175.3 *Special direction regarding distributors' orders.* Delivery orders without allotment numbers or symbols placed by dealers, distributors or jobbers prior to April 7, 1943, calling for delivery not later than June 30, 1943, shall be deemed equal in rating, for purposes of Priorities Regulation No. 1, to the other orders bearing the same grade of rating with allotment numbers or symbols, notwithstanding the provisions of paragraph (c) of CMP Regulation No. 3 regarding the superiority of ratings with allotment numbers or symbols. For example, a distributor of fittings places an order on April 1 for June delivery for replacement in his inventory of items which he has previously sold on a rating of AA-2X. Since the orders which he filled by such sales did not carry allotment numbers or symbols, he is unable to extend an allotment number or symbol with his order. On April 2, a manufacturer places an order for the same fittings, rated AA-2X with the allotment number of the manufacturer's authorized production schedule. The two orders are deemed of equal rating, and, if both cannot be filled, the distributor's takes precedence under Priorities Regulation No. 1 since the rating was first extended to it.

In the case of orders for controlled materials, this direction is not to be construed as converting a rated order into an authorized controlled materials order.

Issued this 7th day of April 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-5442; Filed April 7, 1943;
11:43 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 9,¹ Amendment 2]

COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUBCONTRACTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraph (b) of § 1305.12 is amended as set forth below:

§ 1305.12 *Applications for adjustment of maximum prices for commodities or services under Government contract or subcontract.* * * *

(b) "Price regulation," as used in this supplementary order, means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation heretofore or hereafter issued by the Office of Price Administration, or any amendment or supplement thereto or order heretofore or hereafter issued thereunder, but does not include any of the following price regulations: Nos. 2, 3, 4, 8, 12, 20, 30, 47, 55, 70, 87, 90, 115, 123, 136, 171.

This amendment shall become effective April 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5392; Filed, April 6, 1943; 3:12 p. m.]

PART 1309—COPPER

[MPR 202,² Amendment 3]

BRASS AND BRONZE ALLOY INGOT AND SHOT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 202 is amended in the following respects:

1. The title is amended to read as set forth above.

2. Section 1309.151 is amended by adding after the first two appearances of the phrase "brass or bronze alloy ingot", the phrase "or shot", and adding after the first appearance of the phrase "such ingot", the phrase "or shot".

3. Sections 1309.152 and 1309.155 are amended by adding after each appearance of the phrase "brass or bronze alloy ingot", the phrase "or shot".

4. Section 1309.157 is amended by adding after each appearance of the word "ingot", the phrase "or shot".

5. Section 1309.162 (a) (5) is added to read as follows:

(5) "Brass or bronze alloy shot" means any alloy shot, including shot in granulated form, in the composition of which the weight of copper metal is 50% or more of the total weight of the shot.

6. Section 1309.165 (c) (3) (i) is amended by adding after the phrase "from the date" the word "thereof" and deleting the word "hereof".

7. Section 1309.165 (c) (5) is added to read as follows:

(5) If the price submitted by the seller is disapproved by the Administrator, notice to that effect, together with the price approved pursuant to subparagraph (2) of this paragraph (c) and the reasons for such action, shall be given to the seller by letter. At the request of the seller, received by the Office of Price Administration, Washington, D. C., within thirty days from the date of mailing of the letter referred to above in this subparagraph, the disapproval together with the price approved by the Administrator will be incorporated in an order.

8. Section 1309.165 (e) and (f) are redesignated as § 1309.165 (f) and (g), respectively.

9. Section 1309.165 (e) is added to read as follows:

(e) *Maximum prices for sales and deliveries of brass and bronze alloy shot.*

(1) The maximum price for any grade of brass or bronze alloy shot shall be a price in line with the maximum prices established by this regulation for brass and bronze alloy ingot, giving due weight to the differences in the cost of manufacturing shot as distinguished from ingot, shall be approved by the Administrator, and when once approved shall be the maximum price for all subsequent sales of such shot by the seller to whom such price approval is given unless the Administrator thereafter specifically withdraws such approval.

(2) Pending approval by the Administrator, any person may sell or deliver, and any person may buy and receive, any such shot at the price submitted for approval, and any person may offer to do any of the foregoing. If, however, the Administrator disapproves the price submitted, the contract price shall be revised downward to the maximum price which the Administrator shall approve, and if any payment has been made at a price higher than that so approved, the seller shall refund the excess: *Provided, however,* That the price submitted by the seller for approval shall be deemed to be approved unless the Administrator specifically disapproves such price and establishes an approved maximum price within fifteen days from the date on which the report required in paragraph (e) (3) of this section is received by the Office of Price Administration or, if further information is requested from the seller within such fifteen-day period, then within fifteen days from the date on which all such information is received by the Office of Price Administration.

(3) On and after April 12, 1943, the seller of any such shot, shall (i) report the first sale of such shot made on or after April 12, 1943 to the Office of Price

Administration, Washington, D. C., within 5 days from the date thereof, stating (a) the quantity sold, (b) the specifications including the alloy content and the size of the shot, (c) the proposed price including quantity differentials, (d) the method of manufacturing such shot, (e) the additional cost of manufacturing such shot as distinguished from ingot insofar as that is known to the seller, (f) if the seller sold any brass or bronze shot before April 12, 1943, the price or prices at which such sales were made from January 1, 1941 to the date of the sale being reported, and (ii) provide such other information concerning the manufacture and sale of such shot as may be requested by the Office of Price Administration in order to determine the proper maximum price of such shot.

(4) Nothing contained in this paragraph (e) shall be construed to prevent the Administrator from adjusting any price previously approved pursuant to this paragraph (e) when in his judgment such adjustment is warranted.

(5) If the price submitted by the seller is disapproved by the Administrator, notice to that effect, together with the price approved pursuant to subparagraph (2) of this paragraph (e) and the reasons for such action, shall be given to the seller by letter. At the request of the seller, received by the Office of Price Administration, Washington, D. C., within 30 days from the date of mailing of the letter referred to above in this subparagraph, the disapproval together with the price approved by the Administrator will be incorporated in an order.

(6) Any maximum prices established by orders issued under § 1499.3 (b) of the General Maximum Price Regulation for brass or bronze alloy shot shall be deemed to be prices approved in accordance with the requirements of this paragraph, but such orders shall have no other force or effect, and any pending applications for the establishment of a maximum price for such shot under § 1499.3 (b) of the General Maximum Price Regulation may be processed under this paragraph.

NOTE: All of the reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5393; Filed, April 6, 1943; 3:16 p. m.]

PART 1340—FUEL

[Rev. MPR 122,³ Amendment 3]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

¹ 7 F.R. 440, 1200.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 5444, 9323.

² 7 F.R. 6421, 7247, 8948, 9427; 8 F.R. 1449.

has been filed with the Division of the Federal Register.*

§ 1340.251 (c) is added to read as follows:

(c) If a dealer's business, assets or stock in trade are sold or otherwise transferred subsequent to April 1, 1943, and the transferee continues to operate such business, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor was or would have been subject if no such sale or transfer had taken place. The transferee shall have the same obligation as his transferor to keep books and records sufficient to verify such prices. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which, are necessary to enable the transferee to comply with the provisions of § 1340.262 of this regulation. This amendment has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5394; Filed, April 6, 1943;
3:13 p. m.]

PART 1340—FUEL

[MPR 137, Amendment 30]

PETROLEUM PRODUCTS SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 137 is amended in the following respect:

1. Section 1340.90 (a) (2) is amended to read as set forth below:

(2) "Motor fuel" means liquid fuel, including Diesel fuel, used for the propulsion of motor vehicles or motorboats, and shall include any liquid fuel to which Federal gasoline taxes apply except aviation gasoline of 87 octane rating or higher.

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5395; Filed, April 6, 1943;
3:12 p. m.]

*Copies may be obtained from the Office of Price Administration.

7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10684, 11008, 11112, 11075; 8 F.R. 231, 232, 1226, 1586, 1799, 2152, 2120, 2501, 2594, 2997, 3105, 3327, 3365.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 361]

PULPWOOD PRODUCED IN OR SOLD INTO THE STATES OF MAINE, VERMONT, NEW HAMPSHIRE AND NEW YORK

In the judgment of the Price Administrator the prices of pulpwood have risen and are threatening to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942.

The Price Administrator has ascertained and given due consideration to the price of pulpwood prevailing in the States of Maine, New Hampshire, Vermont and New York, between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. The Price Administrator has advised and consulted with representative members of the industry. In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been prepared and is issued simultaneously herewith.*

§ 1347.951 *Maximum prices for pulpwood produced in or sold into the States of Maine, Vermont, New Hampshire and New York.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 361 (Pulpwood Produced in or Sold into the States of Maine, Vermont, New Hampshire and New York), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.951 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION No. 361—PULPWOOD PRODUCED IN OR SOLD INTO THE STATES OF MAINE, VERMONT, NEW HAMPSHIRE AND NEW YORK

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2 Less than maximum prices.
3 Adjustable pricing.
4 Evasion.
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8 Definitions.
9 Appendix A—Maximum prices.

SECTION 1 *Prohibitions.* (a) On and after April 12, 1943, in the continental limits of the United States, regardless of any contract, agreement, lease or other obligation, no person shall buy and no person shall sell, deliver or transfer pulpwood cut from the stump in the States of Maine, New Hampshire, Vermont and New York; and no person shall purchase pulpwood cut from the stump within the continental limits of the United States for consumption in the aforesaid states,

at prices in excess of the maximum prices set forth in Appendix A hereof; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

(b) *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price.

SEC. 2 *Less than maximum prices.* Lower prices than those set forth in Appendix A may be charged, demanded, paid or offered.

SEC. 3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery.

SEC. 4 *Evasion.* The price limitations set forth in this Maximum Price Regulations No. 361 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to pulpwood cut in or sold into the States of Maine, New Hampshire, Vermont and New York, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, discount, premium or other privilege, or by tying agreement or other understanding, or otherwise.

SEC. 5 *Records and reports.* (a) Every person making a purchase or sale of pulpwood, for which a maximum price is established by this regulation, shall make and shall preserve, for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942 shall be in effect, the same records of such purchases and sales as such person customarily made prior to the effective date of this regulation.

(b) Every person required to keep records by paragraph (a) of this section shall submit such reports as the Office of Price Administration, with the approval of the Bureau of the Budget, may from time to time require.

NOTE: This regulation has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SEC. 6 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 361 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

SEC. 7 *Petitions for amendment.* (a) Persons seeking any amendment of this Maximum Price Regulation No. 361 may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 8 *Definitions.* (a) When used in this Maximum Price Regulation No. 361 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or

any of its political subdivisions, or any agency of the foregoing;

(2) "Pulpwood producer" or "seller" includes any person who sells pulpwood;

(3) "Consumer" includes any person who purchases pulpwood for its own consumption;

(4) "Pulpwood" means any species of wood exclusive of mill waste or mill by-products sold for manufacture into woodpulp;

(5) "Spruce and fir wood" includes black spruce (*Picea mariana*), white spruce (*Picea glauca*), red spruce (*Picea rubra*), and balsam fir (*Abies balsamea*);

(6) "Hemlock wood" includes *Tsuga canadensis*;

(7) "Northern hardwoods" includes beech (*Fagus grandifolia*), paper birch (*Betula papyrifera*), yellow birch (*Betula lutea*), gray birch (*Betula populifolia*), sugar maple (*Acer saccharum*), red maple (*Acer rubrum*), and all other Northern deciduous species except those referred to in subparagraph (9) below;

(8) "Pine" includes any species of the genus *Pinus*, and Tamarack (*Larix laricina*);

(9) "Poplar wood" includes basswood (*Tilia americana*), butternut (*Juglans cinerea*), cucumber (*Magnolia acuminata*), yellow poplar (*Liriodendron tulipifera*) and any species of the genus *Populus*, sometimes referred to as the "soft-hardwood group";

(10) "Peeled pulpwood" includes any pulpwood which has been sap peeled or barked prior to its delivery to a consumer;

(11) "Rosserd pulpwood" includes hand-shaved pulpwood and any pulpwood from which the bark has been removed by any mechanical rosser, prior to its delivery to a consumer;

(12) "Rough pulpwood" means pulpwood from which the bark has not been removed;

(13) "Cord of pulpwood" means an amount of pulpwood (whether peeled, rosseed, or rough) which, when properly prepared and stacked, contains 128 cubic feet, or, when pulpwood is sold in the form of logs, means 128 cubic feet at a ratio in proportion to the log scale used.

(14) "Dealer" means any person who sells to consumers pulpwood not cut or prepared by such person but purchased by such person in the condition in which it is to be delivered to the consumer;

(15) "Roadside" is any road that is maintained and kept open for traffic twelve months of the year;

(16) "Lake or stream" has reference to wood which has been properly landed and boomed in the lake or on the bank of or in the stream by which it is to be carried to the consumer;

(17) "Sale" or "sold" includes sales and deliveries, and sales and contracts to sell pulpwood.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

SEC. 9 Appendix A: maximum prices for pulpwood. (a) (1) The maximum price for pulpwood contracted for and produced prior to March 1, 1943, at a price in excess of the appropriate maximum price provided in subparagraph (3) of this section, but undelivered on the date this regulation becomes effective, shall not exceed the price per cord in the contract on March 1, 1943.

(2) The maximum contract price per cord for pulpwood (other than the pulpwood mentioned in subparagraph (1) above) contracted for prior to but undelivered as of the effective date of this regulation at a price lower than the appropriate maximum price provided in subparagraph (3) of this section, shall

not exceed the price agreed upon in the contract.

(3) The maximum contract price per cord for pulpwood (other than the pulpwood mentioned in subparagraphs (1) and (2) above) cut in each of the zones hereinafter indicated shall not exceed the following, delivered at seller's expense at the points indicated.

Species	Zone I—State of Maine			
	F. o. b. car	Lake or stream	Roadside	Delivered mill (by truck)
Spruce and fir:				
Rosseed	\$15.25	\$14.50	\$13.25	\$16.25
Peeled	14.25	13.50	12.25	15.25
Rough	12.25	11.50	10.25	13.25
Hemlock:				
Rosseed	14.00	13.25	12.00	15.00
Peeled	13.00	12.25	11.00	14.00
Rough	11.00	10.25	9.00	12.00
Poplar:				
Rosseed	13.50	12.75	11.50	14.50
Peeled	12.50	11.75	10.50	13.50
Rough	10.50	9.75	8.50	11.50
N. hardwood:				
Rosseed	14.50	13.50	12.50	15.50
Peeled	13.50	12.50	11.50	14.50
Rough	11.50	10.50	9.50	12.50
Pine:				
Rosseed	13.50	12.75	11.50	14.50
Peeled	12.50	11.75	10.50	13.50
Rough	10.50	9.75	8.50	11.50

Species	Zone II—State of New Hampshire, Essex Co., Caledonia Co., Washington Co., Orange Co., and Windsor Co., Vermont			
	F. o. b. car	Lake or stream	Roadside	Delivered mill (by truck)
Spruce and fir:				
Rosseed	\$16.75	\$16.00	\$14.75	\$17.75
Peeled	15.75	15.00	13.75	16.75
Rough	13.75	13.00	11.75	14.75
Hemlock:				
Rosseed	15.00	14.25	13.00	16.00
Peeled	14.00	13.25	12.00	15.00
Rough	12.00	11.25	10.00	13.00
Poplar:				
Rosseed	14.00	13.25	12.00	15.00
Peeled	13.00	12.25	11.00	14.00
Rough	11.00	10.25	9.00	12.00
N. hardwood:				
Rosseed	15.50	14.50	13.50	16.50
Peeled	14.50	13.50	12.50	15.50
Rough	12.50	11.50	10.50	13.50
Pine:				
Rosseed	14.00	13.25	12.00	15.00
Peeled	13.00	12.25	11.00	14.00
Rough	11.00	10.25	9.00	12.00

Species	Zone III—Franklin Co., Orleans Co., Chittenden Co., & Lamoille Co. Vt.		
	F. o. b. car	Roadside	Delivered mill (by truck)
Spruce and fir:			
Rosseed	\$19.00	\$17.00	\$21.00
Peeled	18.00	16.00	20.00
Rough	15.50	13.50	17.50
Hemlock:			
Rosseed	15.25	13.25	17.25
Peeled	14.25	12.25	16.25
Rough	12.25	10.25	14.25
Poplar:			
Rosseed	14.00	12.00	16.00
Peeled	13.00	11.00	15.00
Rough	11.00	9.00	13.00
N. hardwood:			
Rosseed	15.75	13.75	17.75
Peeled	14.75	12.75	16.75
Rough	12.75	10.75	14.75
Pine:			
Rosseed	14.00	12.00	16.00
Peeled	13.00	11.00	15.00
Rough	11.00	9.00	13.00

Species	Zone IV—Addison Co., Rutland Co., Bennington Co., Windham Co., Vermont & State of New York		
	F. o. b. car	Roadside	Delivered mill (by truck)
Spruce and fir:			
Rosseed	\$20.50	\$17.50	\$22.50
Peeled	19.50	16.50	21.50
Rough	16.50	13.50	18.50
Hemlock:			
Rosseed	14.75	12.75	16.75
Peeled	13.75	11.75	15.75
Rough	11.25	9.25	13.25
Poplar:			
Rosseed	14.00	12.00	16.00
Peeled	13.00	11.00	15.00
Rough	11.00	9.00	13.00
N. hardwood:			
Rosseed	14.75	12.75	16.75
Peeled	13.75	11.75	15.75
Rough	11.25	9.25	13.25
Pine:			
Rosseed	14.00	12.00	16.00
Peeled	13.00	11.00	15.00
Rough	11.00	9.00	13.00

(4) The maximum price for pulpwood sold at points other than those listed above shall be arrived at by deducting from the appropriate maximum price established above an amount equal to the actual cost incurred by the seller in transporting the wood to and loading the wood at the point of shipment described above actually used, or, in the case of wood trucked to the mill, the actual costs of such trucking.

(b) (1) The maximum price paid for pulpwood described in subparagraphs (1) and (2) of paragraph (a) of this section shall in no event be more than \$1.00 more per cord than the contract price established pursuant to said subparagraphs. Amounts in excess of such contract prices can be paid only if no dealer's commission is paid on the wood and if the buyer makes a statement to the Paper and Paper Products Branch, Office of Price Administration, Washington, D. C., either prior to or subsequent to such payment that

(i) The payment of the excess is necessary to secure the wood in question, and is the least expensive means of securing it;

(ii) The payment of the excess is or will be necessary to enable the seller to discharge obligations incurred by him pursuant to the contract of sale;

(iii) No dealer's commission has been or will be paid on the wood in question.

The statement shall set forth fully the reasons why the excess payment is necessary, and shall explain the excess payments in itemized form, with a justification for the payment of each item.

(2) Buyers and sellers will be held to violate this regulation in cases where unjustified amounts are paid in excess of the maximum contract prices herein provided for in subparagraphs (1) and (2) of paragraph (a) of this appendix.

(3) The Office of Price Administration may at any time at discretion suspend or withdraw from any buyer or buyers the privilege of paying the excess amount over maximum contract prices provided for by this paragraph (b).

(c) The prices established herein are for wood of top quality prepared to conform with the consumer's specifications.

All trade practices and customs with respect to allowance for defective wood of any kind must be observed.

(d) *Mixed shipments.* If a shipment contains a mixture of species, except a mixture of spruce and fir, the maximum price per cord shall be ascertained by determining the number of cords of each species in the shipment and then applying the maximum price for each species.

(e) When one consumer sells pulpwood to another, the maximum price shall not exceed the actual cost which the wood stands the seller, plus such actual costs of moving the wood to the buyer as the seller incurs.

(f) *Dealers.* (1) In the event that a dealer in pulpwood, as defined in section 8 (a) (14), shall within a year from the effective date of this regulation deliver to a consumer 1000 cords or more of wood wholly produced in said year, such consumer may, at the time of delivery of said 1000 cords, pay such dealer with respect to wood purchased by such dealer, but not operated by him, a dealer's allowance (in addition to the producer's maximum price hereinbefore provided) not in excess of \$1.00 per cord.

(2) The maximum prices established in paragraph (c) of Appendix A, can in no case be augmented by more than one dealer's allowance for each cord. In no event shall a person receive a dealer's allowance or the proceeds of a dealer's allowance on pulpwood cut by him or by his own operations. In no event shall a person receive a dealer's allowance on the cut of another person pursuant to any contract, agreement or understanding of any sort whatsoever between the two, whereby each is to sell, and charge an allowance on the wood cut by the other. In addition to the price paid by the consumer a dealer may receive a dealer's allowance only from a consumer and only if the dealer fulfills all of the following requirements with respect to the transactions:

(1) Keep copies of all contracts in which a dealer's allowance is charged.

(2) The sale is made by the dealer to the consumer.

(3) The pulpwood sold by the dealer to the consumer has been completely prepared for delivery by a person other than the dealer.

(4) The dealer guarantees the merchantable quality of the pulpwood.

(5) The dealer's allowance in such transaction is shown as a separate item on the invoice. This invoice must contain a statement that the dealer has had no part in the preparation of the pulpwood covered prior to its delivery to the consumer, and that the charges are not in excess of those established in this Maximum Price Regulation No. 361.

(6) The dealer's allowance is not split or divided with any other person.

(7) All pertinent provisions in this Maximum Price Regulation No. 361 are strictly complied with.

This Maximum Price Regulation No. 361 shall become effective April 12, 1943. Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5396; Filed, April 6, 1943; 3:12 p. m.]

No. 69—3

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289, Amendment 9]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1351.1522 is amended in the following respects:

1. The headnote of the section is amended to read as follows:

§ 1351.1522 *Maximum prices for bulk powdered skim milk for human consumption, bulk powdered buttermilk for human consumption and packaged powdered skim milk (spray process) for human consumption.*

2. Paragraph (b) is redesignated paragraph (c).

3. Paragraph (c) is redesignated paragraph (d).

4. New paragraph (d) (1) is amended to read as follows:

(1) All packaged powdered skim milk and packaged powdered buttermilk not covered by paragraph (b) of this section are covered under Maximum Price Regulation No. 280. Specifically, paragraph (b) of this section fixes dollar and cents maximum prices for packaged powdered skim milk (spray process) for human consumption in 7, 12, and 16 ounce packages and provides a method whereby other size packages of such packaged powdered skim milk may be priced.

5. A new paragraph (b) is added to read as follows:

(b) The maximum prices for sales and deliveries of packaged powdered skim milk (spray process) by manufacturers or packers to the wholesale and chain store warehouse trade and to commercial, industrial institutional and governmental users shall be as listed in the following Table A:

TABLE A

For deliveries in	Price per dozen packages		
	7 oz.	12 oz.	16 oz.
Zone A.....	\$1.08	\$1.78	\$2.34
Zone B.....	1.09	1.80	2.37
Zone C.....	1.10	1.82	2.40
Zone D.....	1.11	1.84	2.43

(1) *Differentials and discounts.* If the manufacturer or packer has established differentials for quantity purchases or for any other class of purchasers, he shall continue such differentials. The differentials to such other classes of purchasers shall be determined by adding to or subtracting from the maximum prices

*Copies may be obtained from the Office of Price Administration.

7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3327.

7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741, 1885, 2024, 2038, 2346, 2431, 3001, 3070.

fixed herein for such zone, as the case may be, the difference between the seller's customary price to wholesalers and his customary price to such class of purchasers. All other customary discounts and allowances including those for prompt payment shall likewise be continued.

(2) *Definition of zones.* (i) Zone A shall be all states not included in Zones B, C, or D.

(ii) Zone B shall be Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Delaware, District of Columbia, Virginia, and West Virginia.

(iii) Zone C shall be Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas.

(iv) Zone D shall be Florida.

(3) Manufacturers or packers maximum prices for packaged powdered skim milk (spray process) packed in container sizes other than those for which maximum prices are fixed by this paragraph:

(i) The following pricing method applies only to those new packages whose weight is 50% greater or smaller than the weight of the package for which maximum prices are fixed herein, i. e. those packages which are not less than 3½ oz. nor more than 24 ozs. In the case of all other packages sizes, i. e. those less than 3½ oz. and those more than 24 oz. but not more than 80 oz. inclusive, the packer shall apply to the Office of Price Administration for a maximum price. He shall include in his application a statement giving the weight of the proposed package, the cost to him of the ingredients, packaging material, carton, labor, and overhead.

(ii) Where the packer may price pursuant to this subparagraph (3) he shall proceed as follows:

(a) *Determine the base container.* He shall first determine the size of the package for which a maximum price is fixed herein which is closest in net weight to the size which he desires to pack, i. e., if he desires to pack a 9 oz. package he shall use the 7 oz. package as the base container.

(b) *Determine the base price.* The base price is determined by dividing the maximum delivered price fixed in Table A above for a dozen of each container sizes, in each of the 4 zones established therein, by 12.

(c) *Deduct the container cost.* Taking his base price, the packer shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the packers plant, of the container, label, and the proportionate part of the outgoing shipping wrapper or carton, but it does not include the cost of filling, closing, labeling or packing.

(d) *Adjust for difference in contents.* The figure gotten by this deduction shall then be adjusted for the size change by dividing it by the number of ounces in the base container and multiplying

the result by the number of ounces in the new container.

(e) *Add the new container cost to get the maximum price for the zone.* Next, the packer shall add to the adjusted figure the "direct cost of the container" in the new size. He shall then multiply the resulting figure by twelve to determine his maximum delivered price per dozen in the new size container, in the zone for which he is making the computation. The packer shall make similar computations for each zone in which he desires to sell such new size container and adjust the prices pursuant to subparagraph (1) for the different classes of purchasers to whom he desires to sell such new size container.

(f) *Computations and fractions of a cent.* In making computations pursuant to this subparagraph (3), the packer shall carry all calculations to the second decimal of a cent. If his maximum price per dozen resulting from such computation ends in a fraction he shall adjust the price to the next higher cent where the fraction is $\frac{1}{2}$ ¢ or more, and to the next lower cent if the resulting fraction is less than $\frac{1}{2}$ ¢.

(iii) *Records.* Every manufacturer or packer who computes maximum prices pursuant to this subparagraph (3) shall keep records showing how he figured each maximum price established hereunder.

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5398; Filed, April 6, 1943;
3:13 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[RPS 53,¹ Amendment 29]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1351.151 (b) (15) (vii) is added to read as follows:

(vii) When any of the above named tallows or greases (a) are sold to a buyer engaged in any one of the following businesses:

Adhesive manufacturing
Automobile manufacturing
Battery manufacturing
Belting manufacturing
Cement manufacturing
Chemical manufacturing
Defoaming compound manufacturing
Drug manufacturing
Furnace manufacturing
Food processors

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 1309, 1836, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069; 8 F.R. 1200, 1972, 2875, 3251, 3784.

Felt manufacturing
Hardware companies
Hospitals
Lead manufacturing
Leather manufacturing
Light companies
Machine shops
Metal polish manufacturing
Munitions manufacturing
Navy shipyards
Oil companies
Optical manufacturing
Paper manufacturing
Railroads
Rubber manufacturing
Roofing manufacturing
Radio manufacturing
Steel manufacturing
Sizing manufacturing
Sulphonators
Tanneries
Tank car manufacturing
Veterinary companies
Wire Drawing compound manufacturing
Wire and cable manufacturing
and (b) are delivered in returnable or non-returnable drums, barrels, or tierces, the maximum prices of such tallows or greases shall be the prices set forth above, plus the differentials hereinafter set forth for the type of container, and the quantity, in which the tallows or greases are shipped:

Container	Differential added when shipped in carlot shipments	Differential added when shipped in less than carlot shipments
Returnable drums, barrels, or tierces	Cents per lb. $\frac{3}{4}$	Cents per lb. $\frac{3}{4}$
Non-returnable drums, barrels, or tierces	1	$1\frac{1}{4}$

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5397; Filed, April 6, 1943;
3:15 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 164,¹ Amendment 4]

RED CEDAR SHINGLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1381.3 is amended to read as follows:

§ 1381.3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries

made during the pendency of the petition in accordance with the disposition of the petition.

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5410; Filed, April 6, 1943;
3:14 p. m.]

PART 1389—APPAREL

[MPR 221,¹ Amendment 3]

MANUFACTURERS' PRICES FOR FALL AND WINTER KNITTED UNDERWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1389.302 (d) (1) is amended by adding at the end thereof, after subdivision (vi), the following undesignated paragraph: "Except: That the elimination of decorative rayon striping in any garment shall not of itself prevent a garment from being the same as a garment containing the striping."

This amendment shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5411; Filed, April 6, 1943;
3:14 p. m.]

PART 1389—APPAREL

[MPR 287,² Amendment 4]

MANUFACTURERS' PRICES FOR WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Sections 1389.373 (a) (14) and (15) are added to read as follows:

(14) *Privilege to estimate week-work costs.* A manufacturer may use estimates in calculating the cost of any direct labor operation paid on a time basis if a week-work chart is prepared and kept with the manufacturer's cost records. The estimates shown in the chart are the maximum amounts which may be used in calculating the minimum allowable cost. If a manufacturer finds that his estimates are too low, he may amend his chart by means of a notation on the chart showing the revised estimates and the date of the notation; but the revised estimates may not be re-

¹ 7 F.R. 7318, 9615, 10719.

² 7 F.R. 10460; 8 F.R. 323, 492, 859, 1740.

(viii) Your week-work chart must be prepared in the following form: (Copies will not be furnished by the Office of Price Administration.)

[F. R. Doc. 43-5413; Filed, April 6, 1943;
3:13 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136¹, Amendment 78]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 136, as amended, is amended in the following respects:

1. Section 1390.25 is amended by amending the title thereof to read "Petitions for amendment".

2. Section 1390.25 (a) is revoked.

3. Section 1390.25 (c) is redesignated § 1390.25 (a).

4. Section 1390.25a is added to read as follows:

§ 1390.25a *Adjustments*—(a) *Application by a manufacturer of a machine or part*—(1) *Who may receive an adjustment.* The manufacturers' maximum price for a machine or part established by this regulation may be adjusted only in the case of an essential producer of an essential machine or part. An "essential machine or part" is one which aids directly in the war program or is essential to a standard of living appropriate to the prosecution of the war. An "essential producer" is one whose output of a machine or part cannot be reasonably expected to be replaced at prices lower than the proposed adjusted maximum price. In addition, any person who has entered into, or proposes to enter into, a war contract (as defined in subparagraph (5)), or a subcontract thereunder, is an essential producer of an essential machine or part.

(2) *When adjustment may be granted*—(i) *In general.* The Office of Price Administration, any regional office, or such other offices as may be authorized by order issued by the appropriate regional office, may adjust the maximum price in the case of an essential producer of an essential machine or part upon the basis of information submitted by the manufacturer or of other information. It may make that adjustment whenever it finds that the maximum price of a machine or part is at such a level that, taking into account the cost thereof, the profits position of the manufacturer and the nature of his business, production of the machine or part is impeded or threatened.

(ii) *Factors which may be considered.* The following factors are relevant to the consideration of the adjustment:

(a) Whether, and by what amount, the maximum price is below or above the current manufacturing costs, and the current total unit costs, of the machine or part.

(b) Whether, and by what amount, the applicant's current over-all profits before income and excess profits taxes are greater or less than his average over-all profits during the normal base period, increased by 7% of the additional capital investment contributed entirely by the manufacturer, or its stockholders, since the normal base period.

(c) Whether the proposed price is higher than the price prevailing in the industry.

(d) Whether the manufacturer's sales of the machine or part represent only a very small part of his total sales.

(e) Whether the manufacturer previously sold the machine or part below the total unit cost of the machine or part.

(3) *How the manufacturer proceeds in applying for an adjustment*—(i) *In general.* An application for adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1 and shall be made on Form OPA694-178A, set out in paragraph (a) of Appendix E, incorporated as § 1390.36 of this regulation. Copies of this form and of the instructions for completing it may be obtained from any district, state or regional office of the Office of Price Administration. If the manufacturer's total sales in the calendar year 1942, or in the fiscal year ending in 1942, exceeded \$500,000, the application shall be filed with the Office of Price Administration in Washington, D. C. If the manufacturer's total sales during that period did not exceed \$500,000, the application shall be filed with the nearest regional office of the Office of Price Administration.

(ii) *Application based on proposed wage or salary increase to be authorized by the National War Labor Board.* A manufacturer who believes that the conditions for an adjustment set forth in this paragraph (a), would exist if the National War Labor Board should grant a pending application for wage or salary increase may file an application for adjustment under this paragraph. Applications for adjustment of maximum prices based on wage or salary increases requiring the approval of the National War Labor Board must also comply with Supplementary Order No. 28, which requires, among other things, that an application for adjustment in such case be filed within 15 days after an application for a wage or salary adjustment has been filed with the National War Labor Board, or, in a disputed wage proceeding, within 15 days after the employer receives notification that the National War Labor Board has taken jurisdiction of the dispute.

(4) *Prices for deliveries made pending disposition of the application.* A manufacturer who has filed an application under this paragraph (a) may contract or agree that deliveries made during the pendency of the application shall be at a specific price which is higher than the

existing maximum price which the manufacturer wants to have adjusted. But no payment in excess of that existing maximum price may be received until the application is finally disposed of, and at that time the price received may not exceed the maximum price as determined by the Office of Price Administration.

A manufacturer who wishes to enter into such an arrangement must specifically state to the buyer the following:

(i) The maximum price for the machine or part;

(ii) The fact that an appropriate application for an adjustment of that maximum price has been filed with the Office of Price Administration;

(iii) The fact that the specific price quoted by the manufacturer is subject to the approval of the Office of Price Administration.

(5) *Definitions*—(i) *Manufacturing costs.* The term "manufacturing costs" means total unit costs less selling and administrative expenses properly allocable to the internal management of the business. Such selling and administrative expenses shall not be deemed to include direct deductions from gross sales, such as freight out, installation charges, cash discounts and sales and service commissions paid to independent dealers.

(ii) *Normal base period.* The term "normal base period" means the period 1936-1939. If the applicant shall demonstrate to the satisfaction of the Office of Price Administration either (a) that his entire industry was operating during the greater part of such period at an unusually depressed level or (b) that because of unusual conditions prevailing during that period, the manufacturer's plant was operating during that period at an unusually depressed level in comparison to other plants in the industry, and in addition that some other period prior to January 1, 1941, represents a proper "normal base period," such other period may be considered. The mere fact that the rate of production has increased since 1936-1939 will not be deemed evidence that production during that period was at an "unusually depressed level." If the manufacturer was not in business prior to January 1, 1941, he shall state that fact in his application.

(iii) *Over-all profits.* The term "over-all profits" means net profit resulting from the operation of all divisions of the manufacturer, before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes. In the case of a subsidiary wholly owned by a parent corporation, the term "over-all profits" means the net profit of the parent corporation before the creation of any reserves, except ordinary reserves for depreciation and bad debts, and before income and excess profit taxes.

(iv) *Subcontract.* The term "subcontract" means any purchase order or agreement to perform all or any part of the work, or to make or furnish any commodity, required for the performance of another contract or subcontract.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 389, 534, 1058, 1382, 2270, 3314, 3370.

(v) *Total unit costs.* The term "total unit costs" means the direct unit cost of labor, materials, and subcontracted services, plus a proportion of factory overhead, administrative and other expenses, based on actual operating experience, properly allocable to the production of the machine or part, but does not include provisions for income or excess profit taxes. The allocation of factory overhead, administrative and other expenses must be made without reference to temporary fluctuations of production, for whatever reason, and should be based on a representative period of continuous, normal production.

(vi) *War contract.* The term "war contract" means any contract with the United States, or any agency thereof, or with the government, or any agency thereof, of any country whose defense the President deems vital to the defense of the United States, under the terms of the Lend-Lease Act, for the sale of a machine or part purchased (a) for the ultimate use of the armed forces of the United States or for lend-lease purposes, or (b) by any government (or agency thereof) of any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or (c) for use in the production or manufacture of any commodity described in (a) or (b).

(b) *Application by a machinery service supplier.* Paragraph (a) applies, insofar as practicable, to adjustments of the maximum prices of machinery services and to application for such adjustments. However, the procedure to be followed in applying for an adjustment differs in the following respects:

(1) The application for adjustment shall be made on Form OPA694-178B, set out in paragraph (b) of Appendix E. Copies of this form may be obtained from any district, state or regional office of the Office of Price Administration.

(2) If the supplier's total sales of machinery services for the calendar year 1942, or for the fiscal year ending in 1942, exceeded \$75,000, the application shall be filed in Washington, D. C. If the supplier's total sales of machinery services for that period did not exceed \$75,000 the application shall be filed with the nearest regional office of the Office of Price Administration.

(c) *Application by a manufacturer or a machinery service supplier based upon an appropriate decrease of other prices—*

(1) *Who may receive an adjustment under this paragraph.* Adjustments under this paragraph will be granted only in the case of an essential producer of an essential machine or part or an essential supplier of an essential machinery service. The meaning of these terms is explained in paragraph (a) (1) of this section.

(2) *When adjustment may be granted.* The Office of Price Administration, any regional office, or such other offices as may be authorized by order issued by the appropriate regional office, may make an adjustment of the maximum price in any case in which the manufacturer or supplier agrees to make and (simul-

taneously with any increase in the maximum price that may be authorized under this paragraph (c)) makes a reduction in the selling price of other products or services which will equal or exceed the total dollar amount of the adjustment granted under this paragraph.

(3) *What an application under this paragraph must show.* An application for price adjustment under this paragraph (c) shall contain information indicating that the applicant is an essential manufacturer of an essential machine or part or an essential supplier of an essential machinery service and that if the proposed adjustment is granted, the gross dollar amount of sales of the machines or parts or machinery services affected by the adjustment will not be greater than it would have been in the absence of the adjustment. In any case where such an adjustment is granted, the Office of Price Administration will require appropriate reports relating to the commodities or services affected.

(4) *How the manufacturer or supplier proceeds in applying for an adjustment.* An application for adjustment under this paragraph (c) shall be filed in accordance with Revised Procedural Regulation No. 1. If the manufacturer's total sales for the calendar year 1942, or for the fiscal year ending in 1942, exceeded \$500,000, the application shall be filed with the Office of Price Administration in Washington, D. C. If the manufacturer's total sales during that period did not exceed \$500,000, the application shall be filed with the nearest regional office of the Office of Price Administration. If the supplier's total sales of machinery services for the calendar year 1942, or for the fiscal year ending in 1942, exceeded \$75,000, the application shall be filed with the Office of Price Administration in Washington, D. C. If the supplier's total sales of machinery services during that period did not exceed \$75,000, the application shall be filed with the nearest regional office of the Office of Price Administration.

(d) *Application by a manufacturer or a machinery service supplier under a combination of both paragraphs (a) and (c) or paragraphs (b) and (c).* A manufacturer or a machinery service supplier who desires to apply for an adjustment under paragraph (c) may, at the time he applies under that paragraph, also apply under paragraphs (a) or (b), if the facts of his case entitle him to do so. In such case, the office considering his application will give the adjustment available under paragraphs (a) or (b) before applying paragraph (c).

(e) This § 1390.25a supersedes Supplementary Order No. 9 (§ 1305.12), in so far as commodities and services covered by Maximum Price Regulation 136, as Amended, are concerned. Accordingly, applications for adjustment of a maximum price, established by this Maximum Price Regulation 136, as Amended, may no longer be filed under Procedural Regulation No. 6.

(f) The maximum price for sales of machines or parts by persons, other than

manufacturers, may be adjusted in an order issued under this section.

5. Section 1390.36 is added to read as follows:

§ 1390.36 *Appendix E: Form for application for adjustment—(a) Form for application for adjustment of maximum manufacturers' prices of machines and parts—(1) Form.*

Form OPA 694:178a

Form Approved
Budget Bureau No. 08-R388

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
Washington, D. C.

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES FOR MACHINES AND PARTS UNDER MAXIMUM PRICE REGULATION NO. 136, AS AMENDED

Company name _____
Address _____
(Street) (City) (State)

The following facts are furnished to the Office of Price Administration in support of this Application:

SCHEDULE A

1. General description of the company's business.
2. Designate and describe product(s) for which price increase is requested.
3. Present the following information for each product listed in Item 2 above.
(a) Dollar volume of unfilled orders, \$-----
(b) Unit volume of unfilled orders. (Indicate unit used), -----
(c) Degree of completion of production on unfilled orders, ----- %
(d) Anticipated dollar volume of new orders for the next: 3 months, \$-----; 6 months, \$-----; 12 months, \$-----

NOTE: If more than one product is being reported, present the required information on another sheet.

4. Present evidence that the company is an essential producer of an essential machine or part.

(a) For each product designated in Item 2 above, fill in the following if you have entered into, or propose to enter into, a war contract or subcontract for the sale of that product.

- (1) Identification of contract-----
- (2) Name of purchaser-----
- (3) Address of purchaser-----
(Street)
(City) (State)

NOTE: If more than one product is being reported, present the required information on another sheet.

(b) Present any other information which demonstrates that the manufacturer is an essential producer of an essential machine or part.

(NOTE: The terms "war contract", "subcontract", "essential producer", and "essential machine or part" are defined in the adjustment provision under which this report is filed (Section 1390.25a of Maximum Price Regulation No. 136, as Amended).)

5. Are similar machines or parts manufactured by competitors in your region? ----- If yes, give names and addresses (Yes or No) of competitors, and their prices for such machines or parts.

SCHEDULE B

Important. If you have submitted any of the following information on Office of Price Administration Financial Report Forms A

and B for certain periods or have furnished same on a previous application for adjustment of a maximum price, you may omit those periods in your present report. In the case of a subsidiary wholly owned by a parent corporation, the financial data should be submitted for the parent corporation:

1. Submit balance sheets and profit and loss statements for the years 1941 and 1942, and for the most recent accounting period in 1943.

(NOTE: Each profit and loss statement must contain a detailed breakdown of cost of goods sold, administrative expense, selling expenses and officers' salaries, including the number of officers.)

2. Financial data 1936-1940.

(NOTE: The filing of the financial data designated in this item is optional. Should the applicant prefer, this information will be obtained by the Office of Price Administration directly from the Bureau of Internal Revenue.)

Either submit balance sheets and profit and loss statements for the years 1936-1940, or fill in the following condensed table.

	1936	1937	1938	1939	1940
Net sales					
Cost of goods sold					
Gross profit					
Administrative expense					
Selling expenses					
Net operating profit					
Other income less other expenses					
Net profit before income taxes					
Debt (except current) at end of year					
Net worth at end of year					
Total assets					

3. Are the salaries and wages of all your employees in compliance with the maximum established by the Office for Economic Stabilization?

(Yes or No)

If no, state exceptions.

SCHEDULE C

UNIT COST PRICE AND COST INFORMATION

Designation of Product: _____

NOTE: If more than one product is involved, prepare and file separate reports on this schedule for each product that you consider necessary to convey an adequate understanding of the situation which gave rise to this application.

1. Price Data:

(a) Net realized price:

	Ceiling price 1941	Current price	Requested price
1. (List) (gross) price			
2. Less: Dealer's commissions			
3. Less: Trade discounts			
4. Net realized price			
5. Net Realized Price at Maximum Discount and/or Commissions			

(b) Analysis of Sales of the Above Designated Product:

Sales for _____ month period ending _____ (Number of months) _____, 1943.
(Month and day)

	Percentage amount of commission or discounts	Dollar value of sales
Sales subject to commission of _____ (1)	_____ %	\$ _____
Sales subject to commission of _____ (2)	_____ %	\$ _____
Sales not subject to commission	XXXX	
Sales subject to discount of _____ (1)	_____ %	\$ _____
Sales subject to discount of _____ (2)	_____ %	\$ _____
Sales subject to discount of _____ (3)	_____ %	\$ _____
Sales subject to discount of _____ (4)	_____ %	\$ _____
Sales subject to discount of _____ (5)	_____ %	\$ _____
Sales not subject to discount	XXXX	
Total sales of above designated product	XXXX	\$ _____

(c) Total Sales for the Above Designated Product only:

	1940	1941	1942	Months Ending 1943
Total unit volume of sales				
Total dollar volume of sales (net)	\$ _____	\$ _____	\$ _____	\$ _____

(d) Is the price currently charged for the product the same as the maximum price filed with OPA?

(Yes or No)

(If answer is "No", state date when increased price was first charged.) Date: _____ 194____

(Month)

(e) Indicate whether the current maximum price is a list or established price () or a formula price () (Check one).

Price used since _____ 194____

(Month)

(f) State on a separate sheet the reasons for the need of the requested price increase.

2. Unit Cost Data:

	Ceiling date costs, 1941	Costs, October 1942	Current date costs, 1943
(a) Direct material	\$ _____	\$ _____	\$ _____
(b) Direct labor			
(c) Factory overhead			
(d) Selling expense (do not include discounts and commissions deducted under Price Data above)			
(e) Administrative expense			
(f) Freight out, if any			
(g) Installation expense, if any			
(h) Other expense, specify _____			
(i) Total cost per unit			

(j) What method is used in allocating factory overhead?

1. Standard (), Actual () (Check one).
2. Direct labor cost (); Direct labor hours (); Machine hours (); Other ().
(Explain separately if "other" or combination.)

AFFIDAVIT

State of _____ ss
County of _____

By _____ (Applicant)

_____ (Title)

The undersigned _____ being first duly sworn according to law, on oath deposes and says:

That he is the person whose name appears subscribed to the above Application for Adjustment; and that he has read the same and knows to his own knowledge that the facts contained therein are true and correct.

(Signature)

Subscribed and sworn to before me this day of _____ 1943.

(Officer administering oath)

(2) Instructions for the Form:

INSTRUCTIONS FOR THE USE OF ADJUSTMENT APPLICATION FORM FOR MACHINES AND PARTS

In preparing this application, please consider that the form is intended to cover a wide variety of products. Therefore, you will find that some of the questions do not apply to your product. Moreover, you may find that some point that is important in your case is not covered in the form. Adapt the form if this can be done or state the information on a separate sheet if that will be clearer.

Schedule C entitled "Unit Price and Cost Information" is subject to the following explanation:

1. Price Data: (a) 1. (List) (Gross) Price: Please indicate whether the price is a list price or a gross price by crossing out the term that does not apply.

(a) 2. Dealer's Commissions: Where all dealers receive the same commission use the full commission rate even if some sales are not subject to any commission. If several different rates affect the machine covered by the application, use the rate that applies to the largest amount of sales.

(a) 3. Trade Discounts: Deduct trade discounts at the average rate of discounts prevailing in your company for the product covered by the application.

(b) Use a sufficient number of months prior to the date of the application to give an adequate understanding of the situation. Name the period in the allotted space and fill in commission rates or discounts.

2. Unit Cost Data: In presenting unit cost data be sure to include only actual cost.

Material cost must represent actual cost. State separately any charges added to costs of materials.

Where standard costs are used, adjust costs for over- or under-absorption during the period to which the costs apply.

The cost data for the ceiling date may be recomputed if the machine or part covered by the application was not manufactured on or about that date. In the recomputation apply the wage rates prevailing in your plant on the ceiling date and material cost of the same date.

Under items (f), (g) and (h) include only costs borne by the manufacturer and not billed separately to the buyer.

Form Approved

Budget Bureau No. 08-R 387

(b) Form for application for adjustment of maximum prices of machinery services

Form OPA 694:178b

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
WASHINGTON, D. C.

APPLICATION FOR ADJUSTMENT OF MAXIMUM PRICES FOR MACHINERY SERVICES UNDER MAXIMUM PRICE REGULATION NO. 136, AS AMENDED

Company Name _____

Address _____

(Street) (City) (State)

The following facts are furnished to the Office of Price Administration in support of this Application:

1. General description of company's business.
2. Type of machinery service for which price increase is requested.
3. Describe war or civilian need of the service.
4. State, on a separate sheet, the reasons for the requested price increase.
5. State the names and addresses of competitors in your region rendering the same machinery services and state the rates charged by each.
6. State whether you sell any new or used machinery, and if you do, state what it is.

(b)

	Year ended 194	Year ended 194	months ending 194
Total number of service units performed including those not billed			
Number of service units billed			
Dollar amount of service billings			

9. Costs per service

	Ceiling date March 31, 1942	Current date 1943 (month)	Basis of allocation (specify below)
Direct Labor			XXXXXXX
Shop overhead			
Administrative expense			
Selling expense			
Other expense (specify)			
Total cost per service unit			XXXXXXX
Average hourly wage rate, exclusive of overtime, for direct labor engaged in this service			XXXXXXX
Average number of hours worked per man per week (Direct labor only)			XXXXXXX

Important. If you have submitted any of the following information on Office of Price Administration Financial Report Forms A and B for certain periods or have reported the same on a previous application for adjustment of a maximum price, you may omit those periods in your present report. In the case of a subsidiary wholly owned by a parent corporation, the financial data should be submitted for the parent corporation.

10. Submit balance sheets and profit and loss statements for the years 1941 and 1942, and the most recent accounting period in 1943.

(NOTE: Each profit and loss statement must contain a detailed breakdown of cost of goods sold, administrative expenses, selling expenses and officers' salaries, including the number of officers.)

11. Financial data, 1936-1940

(NOTE: The filing of the financial data designated in this item is optional. Should the applicant prefer, this information will be obtained by the Office of Price Administration directly from the Bureau of Internal Revenue.)

Either submit balance sheets and profit and loss statements for the years 1936-1940, or fill in the following condensed table.

	1936	1937	1938	1939	1940
Net sales					
Cost of goods sold					
Gross profit					
Administrative expenses					
Selling expense					
Net operating profit					
Other income less other expenses					
Net profit before income taxes					
Debt (except current) at end of year					
Net worth at end of year					
Total assets					

7. If you sell machinery, state whether you perform any machinery services in connection with such sales, and if you do, describe the services and your method of charging for the same.

8. File the following information for the service described in Item 2 above.

(a) Price March 31, 1942 ----- \$-----
 Present price ----- \$-----
 Requested price ----- \$-----
 per -----
 Service unit (machine-hour, man-hour, etc.)

12. Are the salaries and wages of all your employees in compliance with the maximum established by the Office for Economic Stabilization? If "No" state exceptions: Yes or No

Applicant

By

Title

AFFIDAVIT

STATE OF -----
 County of -----, ss:

The undersigned -----
 being first duly sworn according to law, on oath deposes and says:

That he is the person whose name appears subscribed to the above Application for Adjustment, and that he had read the same and knows to his own knowledge that the facts contained therein are true and correct.

Signature

Subscribed and sworn to before me this ----- day of ----- 194---

Officer Administering Oath

This amendment shall become effective April 10, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-5414; Filed, April 6, 1943; 3:12 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3, Amendment 50]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Rationing Order No. 3 is amended in the following respects:

Section 1407.183 (c) is amended by deleting the words "Veterans' Administration."

This amendment shall become effective April 12, 1943.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-5416; Filed, April 6, 1943; 3:14 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 12, Amendment 27]

COFFEE RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order No. 12 is amended in the following respects:

1. Section 1407.991 (a) is amended by deleting the phrase "or (c) (2)."

2. Section 1407.991 (c) (2) is revoked.

3. Section 1407.991 (d) (1) is amended by deleting the phrase "or (c) (2)."

4. Section 1407.1049 is amended by deleting the phrase "Veterans' Administration and."

This amendment shall become effective April 12, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10129; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R; Food Dir. 3, 8 F.R. 2005)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-5417; Filed, April 6, 1943; 3:12 p. m.]

PART 1440—PROCESSED FOOD COMMODITIES

[MPR 362]

GELATIN

Changes in customary sources of raw material supplies and other factors af-

*Copies may be obtained from the Office of Price Administration.

17 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7269, 7321, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288, 2026, 2153, 2432, 2433, 2675, 2758, 3176, 3180, 3522.

*8 F.R. 3400, 3843.

fecting the sale of gelatin have brought about a condition whereby all manufacturers of these commodities cannot maintain the prices established for them under the General Maximum Price Regulation without individual hardship to some, and such prices are determined by the Price Administrator to be not generally fair and equitable. A continuance of this condition will not assist in securing full and adequate production of such commodities. So far as practicable, the Price Administrator has advised and consulted with representatives of the industry which will be affected by this regulation.

This Maximum Price Regulation No. 362 is issued by the Price Administrator in order to establish maximum prices for gelatin which are generally fair and equitable, will continue and encourage the full production of the industry, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1440.51 *Maximum prices for gelatin.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 362 (Gelatin), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1440.51 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION No. 362— GELATIN

Sec.	CONTENTS
1	Prohibition against dealing in gelatin above maximum prices established by this regulation.
2	Maximum prices for gelatin.
3	Adjustable pricing.
4	Exempt sales.
5	Customary allowances.
6	Transfer of business or stock in trade.
7	Evasion.
8	Enforcement.
9	Records.
10	Petition for amendment.
11	Geographical applicability.
12	Applicability of the General Maximum Price Regulation.
13	Export sales.
14	Definitions.

SECTION 1 *Prohibition against dealing in gelatin above maximum prices established by this regulation.* (a) On and after April 12, 1943, regardless of any contract or other obligation, no person shall sell or deliver any gelatin at prices higher than the maximum prices established by this regulation.

(b) No person in the course of trade or business shall buy or receive any gelatin at prices higher than the maximum prices established by this regulation.

*Copies may be obtained from the Office of Price Administration.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing, except as provided in section 3.

(d) However, prices lower than maximum prices may be charged, demanded, offered or paid.

SEC. 2. *Maximum prices for gelatin.* (a) The maximum prices for edible gelatin in containers of more than 100 pounds net weight f. o. b. purchaser's customary station of destination shall be:

Jelly strength expressed in terms of Bloom gram test:	Maximum price per pound in containers of more than 100 pounds net weight ¹
300 grams and over.....	\$.78
275 grams.....	.73
250 grams.....	.70
225 grams.....	.65
200 grams.....	.63
175 grams.....	.59
150 grams.....	.56
125 grams.....	.52
100 grams.....	.49
75 grams.....	.44
50 grams and below.....	.40

¹ These prices shall apply with reasonable tolerance allowed in the specified jelly strength grade. Reasonable tolerance in no case shall mean a jelly strength test of more than 10 points below the grade for which the price is charged.

(b) Purchasers located in the states of Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Montana, Wyoming, Colorado and New Mexico may be required by the seller to pay transportation charges in excess of \$1.00 per cwt., if incurred from the factory shipping point to the destination.

(c) For edible gelatin in containers of 100 pounds net weight or less, the following differentials may be added:

	Cents per pound
100-pound containers.....	3
50-pound containers.....	5
25-pound containers.....	8

(d) The sellers' differentials prevailing under the General Maximum Price Regulation for pharmaceutical gelatin and kosher gelatin may be added to the prices specified in paragraphs (a), (b) and (c) of this section to establish their maximum prices for such gelatin.

(e) The sellers' differentials prevailing under the General Maximum Price Regulation for technical gelatin shall be deducted from the prices specified in paragraphs (a), (b) and (c) of this section to establish their maximum prices for such gelatin.

(f) For sales of not more than 600 pounds to any single purchaser during any 30-day period sellers at wholesale shall determine their maximum prices for gelatin by adding to the prices specified in this section 10% of such prices.

(g) All sellers shall indicate on their invoices or bills of sale the jelly strength test and the type of the gelatin for which the charge is being made. "Type" means kosher, technical, pharmaceutical or edible.

SEC. 3 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the

maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

SEC. 4 *Exempt sales.* (a) The provisions of this regulation shall not apply to the following sales and deliveries:

(1) Gelatin in containers of less than 25 pounds net weight.

(2) Photographic gelatin.

(3) Gelatin derived wholly from sources other than food animals.

(b) The provisions of the General Maximum Price Regulation shall continue to apply to sales and deliveries exempted by this section.

SEC. 5 *Customary allowances.* The maximum prices established by section 2 shall be subject to the sellers' customary allowances, discounts and other price differentials.

SEC. 6 *Transfer of business or stock in trade.* If the business assets or stock in trade of any seller are sold or otherwise transferred on or after April 12, 1943, and the transferee carries on the business, the differentials of the transferee shall be the same as those to which his transferor would have been subject if no transfer had taken place, and his obligation to keep records to verify those differentials shall be the same.

SEC. 7 *Evasion.* The price limitations set forth in this regulation shall not be evaded by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to any gelatin alone or in conjunction with any other commodity, or by way of any service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other understanding, or by change in grade standards or otherwise.

SEC. 8 *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

SEC. 9 *Records.* Every seller of gelatin covered by this regulation shall for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, preserve for inspection by the Office of Price Administration complete and accurate records of each sale, showing the date thereof, the name and address of the buyer and the seller, the price contracted for or received, and the quantity of each type and grade of gelatin sold. He shall further preserve for the same period for inspection by the Office of Price Administration accurate records showing his differentials prevailing under the General Maximum Price Regulation for sales of kosher, pharmaceutical and technical gelatin.

SEC. 10 *Petition for amendment.* Any person seeking an amendment of any provision of this regulation may file

a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.¹

SEC. 11 *Geographical applicability.* The provisions of this regulation shall be applicable only to the forty-eight states of the United States and the District of Columbia.

SEC. 12 *Applicability of the General Maximum Price Regulation.* The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to the sales and deliveries of gelatin for which prices are established by this regulation, except that the registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every wholesaler subject to this regulation.

SEC. 13 *Export sales.* The maximum prices at which a seller may export gelatin shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation² issued by the Office of Price Administration.

SEC. 14 *Definitions.* (a) When used in this regulation the term:

"Edible gelatin" means the product obtained by the partial hydrolysis of collagen derived from the skin, white connective tissue and bones of food animals.

"Kosher gelatin" means edible gelatin which meets the requirements of Hebraic dietary laws and which is sold as kosher gelatin.

"Pharmaceutical gelatin" means edible gelatin processed especially for use in the manufacture of drugs or pharmaceuticals, or to be used as a drug or pharmaceutical.

"Photographic gelatin" means gelatin processed especially for use in making photographic film.

"Technical gelatin" means gelatin customarily known, sold and to be used as technical gelatin.

"Tolerance" means the number of points in terms of jelly strength Bloom gram test by which the grade of gelatin is over than the grade for which the price is charged. Tolerance shall be deemed to be reasonable up to and including 10 points, but in no event shall it exceed 10 points below the grade specified by the seller and for which the price is charged.

(b) Unless the context otherwise requires, the definitions of section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

Effective Date

This regulation shall become effective April 12, 1943.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5409; Filed, April 6, 1943;
3:15 p. m.]

¹ 7 F.R. 8961, 8 F.R. 3313, 3533.

² 7 F.R. 5059, 7242, 8829, 9000, 10530.

PART 1499—COMMODITIES AND SERVICES [Rev. SR 11¹ to GMPR² Amendment 18]

FEES AND CHARGES OF FOREIGN CONSULS AND CONSULATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Subparagraph (113) of § 1499.46 (b) is amended to read as set forth below:

§ 1499.46 *Exceptions for certain services.* * * *

(b) The provisions of the General Maximum Price Regulation shall not apply to the rates, fees, charges, or compensation for the following services:

(113) Consuls and consulates of foreign governments—fees and charges of.

(d) *Effective dates.* * * *

Amendment No. 18 (§ 1499.46 (b) (113)) to Revised Supplementary Regulation No. 11 shall become effective April 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5381; Filed, April 6, 1943;
3:13 p. m.]

PART 1499—COMMODITIES AND SERVICES [SR 14 to GMPR, Correction to Amendment 134¹]

CERTAIN SALES TO INSTITUTIONS, ETC.

1. Section 1499.73 (a) (1) (ii) (h) (2), relating to sales at wholesale to hotels, restaurants, and other eating establishments in the boroughs of Manhattan, Bronx, Brooklyn, and Queens, incorrectly gave the maximum price of homogenized, Vitamin D, and homogenized-Vitamin D milk in paper containers as 5¼¢ for half-pints. The correct maximum price for this item is 5½¢. Accordingly, the table of listed maximum prices is revised by deleting 5¼¢ and inserting instead 5½¢ for half-pints of homogenized, Vitamin D, and homogenized-Vitamin D milk sold in paper containers.

2. Section 1499.73 (a) (1) (ii) (h) (3), relating to sales to institutions [whether wholesale or retail] in the boroughs of Manhattan, Bronx, Brooklyn, and Queens, contain a typographical error in setting out the provision on ½ quart container sizes. The word "for" was omitted immediately prior to "the same type of milk", following the phrase "increase in his ceiling price". Accordingly, the word "for" should be inserted in the appropriate place indicated.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 6426, 6965, 7604, 7758, 8232, 8431, 8810, 9195, 9894; 8 F.R. 130, 149, 2215, 3068, 3372.

² 8 F.R. 3096.

³ 8 F.R. 3360.

3. Section 1499.73 (a) (1) (ii) (h) (4), relating to sales to Government agencies or subdivisions [whether wholesale or retail] in the boroughs of Manhattan, Bronx, Brooklyn, and Queens, contain a typographical error in setting out the provision on ½ quart container sizes. The word "foregoing" immediately prior to "table" was printed "ofregoing". It should be revised to read "foregoing".

4. Section 1499.73 (a) (1) (ii) (h) (1), relating to sales at wholesale to stores in Westchester, Richmond, and Nassau Counties, incorrectly omitted homogenized-Vitamin D milk in the table of listed prices. The words "and homogenized-Vitamin D" should be inserted in the table of listed prices immediately after "homogenized, Vitamin D."

5. Section 1499.73 (a) (1) (ii) (h) (2) (A), relating to sales at wholesale to combination store-eating establishments in Suffolk County, contains a typographical error in that "½ pints" was printed as "½ points." The paragraph should be revised so that it reads "½ pints."

Issued and effective this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5382; Filed, April 6, 1943;
3:19 p. m.]

PART 1499—COMMODITIES AND SERVICES [Order 357 Under § 1499.3 (b) of GMPR]

EXCELSIOR BAKING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1793 *Approval of maximum prices for sales of 1½ pound enriched white bread by the Excelsior Baking Company to the Red Owl Stores, Inc.* (a) Excelsior Baking Company, located at Minneapolis, Minnesota, may sell and deliver to Red Owl Stores, Inc. and said Red Owl Stores, Inc. may buy and receive from said Excelsior Baking Company one and one-half pound loaves of enriched white bread at prices not exceeding 7¼¢.

(b) This Order No. 357 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 357 (§ 1499.1793) shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5387; Filed, April 6, 1943;
3:16 p. m.]

PART 1499—COMMODITIES AND SERVICES [Order 365 Under § 1499.3 (b) of GMPR]

LIBERTY LACE AND NETTING WORKS

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register,* *It is ordered:*

§ 1400.1852 *Maximum prices for the sale of certain netting fabrics manufactured by Liberty Lace and Netting Works.* (a) The Liberty Lace and Netting Works, 244 Madison Avenue, New York, New York, herein called the applicant, may sell and deliver and any person may buy and receive from it the following patterns of netting at prices not in excess of those set forth below:

Pattern No. and description:	Maximum prices
24196; 72" Bemberg rayon bobbinet.....	86½ (net)
28681; 72" Bemberg rayon bobbinet.....	61 (net)

(b) If the applicant offers a discount to purchasers on its customary terms, it may adjust the maximum prices established in paragraph (a) to compensate for any offered discount which does not exceed 8%.

(c) All requests of the applicant not granted herein are denied.

(d) This Order No. 365 may be revoked or amended at any time by the Office of Price Administration.

(e) This Order No. 365 shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5384; Filed, April 6, 1943;
3:19 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 366 Under § 1499.3 (b) of GMPR]

COHN-HALL-MARX COMPANY

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* *It is hereby ordered:*

§ 1499.1853 *Maximum prices for the sale of a printed velveteen manufactured by Cohn-Hall-Marx Co.* (a) Cohn-Hall-Marx Co., 1412 Broadway, New York, New York, herein called the applicant, may sell and deliver and any person may buy and receive from it the following quality of printed velveteen at a price not in excess of that set forth below:

Quality No. and description:	Maximum price
8020; Printed velveteen.....	\$1.55

(b) The prices set forth in paragraph (a) of this section shall be subject to the same terms and conditions of sale as were granted to purchasers during March 1942.

(c) All requests of the applicant not granted herein are denied.

(d) This Order No. 366 may be revoked or amended at any time by the Office of Price Administration.

(e) This Order No. 366 shall become effective April 7, 1943.

*Copies may be obtained from the Office of Price Administration.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5415; Filed, April 6, 1943;
3:16 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 367 Under § 1499.3 (b) of GMPR]

SYDNEY MYERS, INCORPORATED

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1854 *Authorization of maximum prices for sales of "Ration Aid" processed by Sydney Myers, Incorporated, 600 Lockwood Drive, Houston, Texas.* (a) On and after April 7, 1943 the maximum price f. o. b. Houston, Texas, for the following product of Sydney Myers, Incorporated, shall be as set forth below:

"Ration Aid"—15 cents per pound.

(b) Wholesalers of "Ration Aid" shall calculate their maximum prices by applying the provisions of Maximum Price Regulation No. 237, as amended.

(c) Retailers of "Ration Aid" shall calculate their maximum prices by applying the provisions of Maximum Price Regulation No. 238, as amended.

(d) This order may be amended or revoked by the Administrator at any time.

(e) This Order No. 367 (§ 1499.1854) shall become effective April 7, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5388; Filed, April 6, 1943;
3:18 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 368 Under § 1499.3 (b) of GMPR]

H. C. KNOKE AND COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1855 *Authorization of maximum prices for sales of "Conserve Coffee Extender" processed by H. C. Knoke and Company of 5728 West Roosevelt Road, Chicago, Illinois.* (a) On and after April 7, 1943, the maximum price for "Conserve Coffee Extender" processed by H. C. Knoke and Company of Chicago, Illinois, delivered to customers, shall be 14½ cents per pound.

(b) Wholesalers of this product shall calculate their prices by applying the provisions of Maximum Price Regulation No. 237, as amended.

(c) Retailers of this product shall calculate their prices by applying the provisions of Maximum Price Regulation No. 238, as amended.

(d) This Order No. 368 may be revoked or amended by the Administrator at any time.

(e) This Order No. 368 shall become effective April 7, 1943.

(Pub. Laws 421 and 729; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5389; Filed, April 6, 1943;
3:18 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 369 Under § 1499.3 (b) of GMPR]

FEARN LABORATORIES, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1856 *Authorization of maximum prices for sales of "Le Gout Cinnamon Substitute" processed by Fearn Laboratories, Inc., 701 North Western Avenue, Chicago, Illinois.* (a) On and after April 7, 1943, the maximum prices, f. o. b. Chicago, Illinois, for "Le Gout Cinnamon Substitute", processed by Fearn Laboratories, Inc., in the packs indicated below, shall be as follows:

(1) 225 lb. barrels.....	\$90.00
(2) 12—2 lb. cans.....	10.56
(3) 6—10 lb. cans.....	25.20

(b) This Order No. 369 may be revoked or amended by the Administrator at any time.

(c) This Order No. 369 (§ 1499.1856) shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5390; Filed, April 6, 1943;
3:17 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 370 Under § 1499.3 (b) of GMPR]

COFFEE CORPORATION OF AMERICA

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1857 *Authorization for maximum prices for sales of "Economy Mix", "Tempo Mix" and "Hostess Mix" processed by The Coffee Corporation of America, 251-315 East Grant Avenue, Chicago, Illinois.* (a) On and after April 7, 1943, the maximum prices, f. o. b. Chicago, Illinois, for the following products of the Coffee Corporation of America, shall be as set forth below:

(1) "Economy Mix"—13½ cents per pound.
(2) "Tempo Mix"—13½ cents per pound.
(3) "Hostess Mix"—13½ cents per pound.

(b) The above prices shall be subject to a 2% cash discount upon payment within ten days.

(c) Wholesalers of these products shall calculate their maximum prices by applying the provisions of Maximum Price Regulation No. 238, as amended.

(d) Retailers of these products shall calculate their prices by applying the provisions of Maximum Price Regulation No. 237, as amended.

(e) This Order No. 370 may be revoked or amended by the Administrator at any time.

(f) This Order No. 370 shall be effective April 7, 1943.

(Pub. Laws 421 and 729; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5391; Filed, April 6, 1943;
3:14 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 226 Under § 1499.18 (b) of GMPR]

UNITED MAIL ORDER HOUSE, INC.

Order No. 226 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. GF3-1359.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register*, *It is hereby ordered:*

§ 1499.1826 *Adjustment of maximum prices for mattress pads, sheeting, and printed pillow ticks sold by United Mail Order House, Inc.* (a) United Mail Order House, Inc., 238 West 35th Street, New York, New York, may sell and deliver and any person may buy and receive from United Mail Order House, Inc., the following commodities at prices no higher than those set forth below:

Commodity and description:	Maximum price per dozen
Mattress pads; size 54 x 76; covered with 60 x 48 bleached muslin.....	\$22.00
	Cents per yard
"Black Rock" unbleached sheeting; 36", 64 x 68, 3.70.....	13
	Per dozen
Printed sateen ticking pillow slips; made from liberty 8 oz. ticking, size 21 x 28.....	\$5.00

(b) The prices set forth in paragraph (a) of this section shall be subject to the same terms and conditions of sale as were granted to purchasers during March 1942.

(c) *Retail prices.* Retailers may not charge for the commodities listed in paragraph (a) of this section a price in excess of their maximum price as established under the general maximum price regulation.

(d) United Mail Order House, Inc., shall cause the following notice to be sent, in writing, to all retailers who purchase the commodities listed in paragraph (a) of this section:

The Office of Price Administration has permitted us to raise our maximum prices for

sales to you of the following commodities to the prices set forth below:

Commodity and description:	Maximum price per dozen
Mattress pads; size 54 x 76; covered with 60 x 48 bleached muslin.....	\$22.00
	Cents per yard
"Black Rock" unbleached sheeting; 36", 60 x 68, 3.70.....	13
	Per dozen
Printed sateen ticking pillow slips; made from liberty 8 oz. ticking, size 21 x 28.....	\$5.00

This increase represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these commodities.

(e) All prayers of the petition not granted herein are denied.

(f) This Order No. 226 is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 226 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 226 shall become effective April 12, 1943.

Name and trade name:

Name and trade name:	Address
Samuel Montauk, Montauk Candy Co.....	913 20th St., Union City, N. J.
Frank Chudnov, Columbia Candy Brands.....	712 Hillside Ave., Grantwood, N. J.
Samuel Nuller, S. Nuller.....	135 Woodlawn Ave., Jersey City, N. J.
Alvin Schoss, U. S. Wholesale Conf.....	254 Stegman St., Jersey City, N. J.
Sarah Bocklan, Union City Candy Co.....	5015 Hudson Ave., West New York, N. J.
Frank Fusco, Frank Fusco.....	214 8th St., Hoboken, N. J.
Ralph Mell, Wireless Conf. Co.....	143 So. Main St., Hackensack, N. J.
Donald Fisher, Fisher Candy Co.....	294 Hickory St., Teaneck, N. J.
Max Abramson, Max Abramson.....	6404 Hudson Ave., West New York, N. J.
Charles Weinstein, Charles Weinstein.....	390 Bergen Ave., Jersey City, N. J.

(b) That North Hudson Candy Company is hereby authorized to sell its merchandise to all other sub-jobbers at a percentage charge of three (3%) per cent plus costs, and all other sub-jobbers are hereby authorized to pay North Hudson Candy Company a percentage charge of three (3%) per cent plus costs for such merchandise.

(c) That all sub-jobbers of North Hudson Candy shall continue maximum prices, discounts, allowances and price differentials as were offered in March, 1942, or subsequently adjusted: *Provided, however,* That sub-jobbers may change discounts, allowances and price differentials only if such changes result in prices lower than the maximum prices already established.

(d) That North Hudson Candy Company shall mail or otherwise supply to all its sub-jobbers prior to next delivery to such sub-jobbers, a notice reading as follows:

The Office of Price Administration has authorized us to increase our percentage charge to sub-jobbers from two (2%) per cent to three (3%) per cent plus costs. You are to maintain your prices as established under the two (2%) per cent rate.

(e) This Order No. 227 may be revoked or amended by the Price Administrator at any time.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5386; Filed, April 6, 1943;
3:16 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 227 Under § 1499.18 (b) of GMPR]

NORTH HUDSON CANDY COMPANY

Order No. 227 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. GF3-2469.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1827 *Adjustment of maximum prices in terms of "percentage" plus costs for merchandise sold by North Hudson Candy Company, Union City, New Jersey to its sub-jobbers.* (a) That North Hudson Candy Company is hereby authorized to sell its merchandise to the following named sub-jobbers at a percentage charge of three (3%) per cent plus costs, said authority to be retroactive and effective as of November 1, 1942, and the following named sub-jobbers are hereby authorized to pay North Hudson Candy Company the said percentage charge as above provided.

(f) This Order No. 227 (§ 1499.1827) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 227 (§ 1499.1827) shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5385; Filed, April 6, 1943;
3:14 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 228 Under § 1499.18 (b) of GMPR]

MONSANTO CHEMICAL COMPANY

Order No. 228 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. 3135-16.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.1828 *Adjustment of maximum prices for cocoa tankage sold by Monsanto Chemical Company.* (a) Monsanto Chemical Company of St. Louis,

*Copies may be obtained from the Office of Price Administration.

Missouri may sell and deliver to manufacturers of mixed fertilizers, and manufacturers of mixed fertilizers may buy and receive from Monsanto Chemical Company, cocoa tankage at prices no higher than \$8.50 per ton of 2,000 pounds.

(b) The price set forth in paragraph (a) of this section shall be subject to the same terms and conditions of sale as granted in March, 1942.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 228 is hereby incorporated as a section of Supplementary Regulation No. 14 of the General Maximum Price Regulation, which contains modification of maximum prices established by § 1499.2.

(e) This Order No. 228 may be revoked or amended by the Administrator at any time.

This Order shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5383; Filed, April 6, 1943;
3:19 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 268,¹ Amendment 7]

SALES OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 268 is amended in the following respect:

1. Section 1351.1116 (c) (1) is amended to read as follows:

(1) "White potatoes" means all white potatoes used for human consumption or for seed. Seed potatoes which are purchased as such shall not be sold except as seed potatoes for planting, and must be clearly tagged or labelled as seed potatoes for planting.

This amendment shall become effective April 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5428; Filed, April 6, 1943;
4:37 p. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 9184; 8 F.R. 322, 1747, 2483, 2664, 3527, 3732.

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136 as Amended,¹ Amendment 79]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1390.8a is added to read as follows:

§ 1390.8a *Maximum prices for fixed capacitors of the type and size used for military radio and radar equipment.* Notwithstanding any other provisions of this regulation, the maximum prices for fixed capacitors of the type and size used for military radio and radar equipment shall be determined in accordance with the provisions of this section.

(a) *Maximum prices; price lists.* The maximum price for fixed capacitors of the type and size used for military radio and radar equipment shall be the price stated in the price list of the seller in effect on April 1, 1943 less all discounts, allowances and any other deductions from the list price in effect to a purchaser of the same class on that date. This price is subject to the approval of the Office of Price Administration in accordance with the provisions of paragraph (e).

(b) *Maximum prices; formula pricing.* If a fixed capacitor of the type and size used for military radio and radar equipment cannot be priced in accordance with the provisions of paragraph (a), its maximum price shall be determined by using the price determining method the seller used on April 1, 1943. In applying that price determining method a manufacturer must use labor rates and materials prices in effect to him on April 1, 1943. The price determining method used to compute maximum prices under this paragraph is subject to the approval of the Office of Price Administration in accordance with the provisions of paragraph (e).

(c) *Mica capacitors.* Manufacturers of mica capacitors may add to the maximum price determined in accordance with the provisions of paragraph (a) or (b) increases in unit costs due to increases realized subsequent to April 1, 1943, in the cost of block mica and in the cost of splitting and cutting mica film, except that nothing in this paragraph shall permit the addition of an increase in costs due to an increase in labor rates subsequent to April 1, 1943. Sellers other than manufacturers may increase the prices of mica capacitors by

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 6425, 5362, 5665, 5908, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534, 1058, 1382, 2270, 3314, 3370, 3848.

the amount that prices have been increased to them pursuant to the provisions of the preceding sentence.

(d) *New list prices.* (1) Any person who desires or is required in writing by the Office of Price Administration to establish a list price for fixed capacitors of the type and size used for military radio and radar equipment shall file a report pursuant to subparagraph (2) hereof containing a proposed price determined under paragraph (b), and such price shall thereafter be the maximum price: *Provided*, That the Office of Price Administration either approves such price in writing or fails to disapprove it within 30 days after the receipt of the report. Such price may be disapproved only on the ground that it was not computed in accordance with the provisions of paragraph (b) or because the Office of Price Administration finds that a computation at a later date may result in a lower maximum price.

(2) Under the circumstances set forth in subparagraph (1), a report shall be filed with the Office of Price Administration in Washington, D. C., containing the proposed list price, the proposed effective date, the class or classes of purchasers to whom such price is to be quoted, all relevant data used in determining such price, and evidence that such price was determined in accordance with the provisions of paragraph (b).

(e) *Approval of maximum prices—(1) Reports.* Every seller of fixed capacitors of the type and size used for military radio and radar equipment shall file with the Office of Price Administration in Washington, D. C., before April 30, 1943, a report stating the maximum prices established by this section, the method by which he determined those prices, and the discounts, allowances and other price differentials in effect therefor on April 1, 1943. The report filed by sellers other than manufacturers shall be accompanied by a list of the cost prices to such sellers.

(2) *Approval.* Each maximum price and price determining method reported in the manner just set forth shall be subject to the approval of the Office of Price Administration within 30 days after the receipt of the report. Within five days prior to filing such report, the seller may quote, contract, sell or deliver at the proposed price; but final settlement shall be made in accordance with the action of the Office of Price Administration on the report, and, if required by the Office of Price Administration, refunds shall be made.

This amendment shall become effective as of April 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5430; Filed, April 6, 1943;
4:37 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13, Amendment 10]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 13 is amended in the following respects:

1. Section 6.1 (a) is amended by adding the following sentence following the first sentence: "It also includes any place (except places where processed foods are used for sampling or demonstration in accordance with section 10.9) at which processed foods are used for experimental, educational, testing or demonstration purposes."

2. Section 9.5 (c) is amended by adding at the end thereof "Points which are mailed are considered given up when the envelope containing them is postmarked."

3. Section 21.1 (a) (6) is amended by adding at the end thereof this sentence: "It also includes any place (except places where processed foods are used for sampling or demonstration in accordance with section 10.9) at which processed foods are used for experimental, educational, testing or demonstration purposes."

This amendment shall become effective April 12, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5429; Filed, April 6, 1943; 4:37 p. m.]

[Order 248 Under MPR 183]

SUGAR ROCK IN THE STATES OF COLORADO, WYOMING, MONTANA, UTAH, AND IDAHO

AUTHORIZATION OF MAXIMUM PRICES

Order No. 248 Under § 1499.161 (b) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.161 (b) of Maximum Price Regulation No. 188, It is hereby ordered:

(a) The geographical area of the order includes the States of Colorado, Wyoming, Montana, Utah, and Idaho.

*Copies may be obtained from the Office of Price Administration.

¹8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179.

(b) The maximum prices at which the companies listed below may sell and deliver sugar rock (limestone or limenrock 95% calcium carbonate or better) expressly for use by sugar beet factories located in the area designated in paragraph (a) hereof are as follows:

(1) *W. P. Enders, Basin, Wyoming.* The maximum price for sugar rock testing not less than 97% of calcium carbonate, and of not less than 2" (square opening screen) minimum diameter, and not larger than crusher discharge opening with crusher jaws set at 4¾" discharge opening, shall be \$1.60 per ton, f. o. b. cars, Warren, Montana.

(2) *Clark Quarries, Inc., Fort Collins, Colorado.* The maximum price for sugar rock testing not less than 96% calcium carbonate, and not less than 3" diameter, and not larger than will pass through a 5" slot or grizzly, shall be \$1.44 per ton, f. o. b. cars, Rex Siding, Colorado, subject to adjustment as follows:

Sliding scale of prices for sugar rock testing between 95.50% and 99% calcium carbonate

Calcium carbonate:	Price
99.00%-----	\$1.74
98.90%-----	1.73
98.80%-----	1.72
98.70%-----	1.71
98.60%-----	1.70
98.50%-----	1.69
98.40%-----	1.68
98.30%-----	1.67
98.20%-----	1.66
98.10%-----	1.65
98.00%-----	1.64
97.90%-----	1.63
97.80%-----	1.62
97.70%-----	1.61
97.60%-----	1.60
97.50%-----	1.59
97.40%-----	1.58
97.30%-----	1.57
97.20%-----	1.56
97.10%-----	1.55
97.00%-----	1.54
96.90%-----	1.53
96.80%-----	1.52
96.70%-----	1.51
96.60%-----	1.50
96.50%-----	1.49
96.40%-----	1.48
96.30%-----	1.47
96.20%-----	1.46
96.10%-----	1.45
96.00%-----	1.44
95.90%-----	1.39
95.80%-----	1.34
95.70%-----	1.29
95.60%-----	1.24
95.50%-----	1.19

(3) *Josefson Brothers, Bellvue, Colorado.* The maximum price for sugar rock testing not less than 97% calcium carbonate, and not less than 3" diameter, and not larger than 5" diameter, shall be \$1.55 per ton, f. o. b. cars, Owl Canon Siding, Colorado.

(4) *Frank H. Norberg Company, Denver, Colorado—Wellsville, Colorado, quarry.* The maximum price for sugar rock testing not less than 98% of calcium carbonate, and not less than 2½" by 5", shall be \$2.25 per ton, f. o. b. cars, Wellsville, Colorado.

Providence, Utah, quarry. The maximum price for sugar rock testing not less than 96% of calcium carbonate, and not less than 2½" by 5", shall be \$2.05 per ton, f. o. b. cars, Providence, Utah.

Drummond, Montana, quarry. The maximum price for sugar rock testing not less than 97% of calcium carbonate, and not less than 2½" by 5", shall be \$1.65 per ton, f. o. b. cars, Drummond, Montana.

The maximum price for cull sugar rock shall be 75¢ per ton, f. o. b. cars, Drummond, Montana.

(5) *Simas Brothers, Guernsey, Wyoming.* The maximum price for sugar rock testing not less than 97.50% of calcium carbonate, and not less than 2½" minimum diameter, and not larger than 5" maximum diameter, shall be \$1.55 per ton, f. o. b. cars, Crane Siding, Wyoming.

(c) The above mentioned companies shall submit such reports as the Office of Price Administration may from time to time require.

(d) This Order No. 248 may be revoked or amended by the Price Administrator or the Regional Administrator at any time.

This order shall become effective April 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5431; Filed, April 6, 1943; 4:37 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280, Amendment 18]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

Correction

In the document appearing on page 4131 of the issue for Thursday, April 1, 1943, the heading should appear as above "Maximum prices for specific food products", and in the second and third paragraphs the words "No. 18" should be "No. 16".

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 29, Supp. 2]

PART 341—SHIP WARRANT RULES AND REGULATIONS

SUSPENSION OF RATE CEILINGS

General Order 29 (§ 341.75 *Suspension of rate ceilings with respect to vessels of less than 1,000 gross tons*), as amended, is amended by striking out the word, "April", and inserting in lieu thereof the word "July".

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

APRIL 2, 1943.

[F. R. Doc. 43-5433; Filed, April 7, 1943; 9:45 a. m.]

¹8 F.R. 1597, 2605.

Notices

DEPARTMENT OF LABOR.

Division of Public Contracts.

KNITTING, KNITWEAR AND WOVEN UNDERWEAR INDUSTRY

DETERMINATION OF PREVAILING MINIMUM WAGE

Correction

In the document appearing on page 3964 of the issue for Wednesday, March 31, 1943, the first date appearing in the first undesignated paragraph of paragraph (c) (2) should read "on or after April 20, 1943."

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective April 8, 1943. The certificates may be cancelled in the manner provided in the Regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Bardon of Hollywood, 714 South Los Angeles Street, Los Angeles, California; Men's sport shirts and loafer jackets; 10 percent (T); April 8, 1944.

Bareville Garment Company, Bareville, Pennsylvania; Ladies' undergarments, nightwear; 5 learners (T); April 8, 1944.

Berne Overall & Shirt Company, 108 East Main Street, Berne, Indiana; Work garments; 7 learners (T); April 8, 1944.

Blue Bell Globe Manufacturing Company, West Lee Street, Greensboro, North Carolina; Jungle suits for U. S. Army; 10 percent (T); April 12, 1944.

Boreva Sportswear, Inc., E. Jefferson Street, Stoughton, Wisconsin; Ladies' slacks, skirts, suits and blouses; 15 learners (E); October 8, 1943.

Circle Sportswear Company, 315 Cherry Street, Scranton, Pennsylvania; Blouses and shirts; 25 learners (T); October 8, 1943. (This is to replace the certificate issued to the Blossom Dress Company and expiring October 12, 1943.)

Danville Sportswear Co., Inc., 328 Ferry Street, Danville, Pennsylvania; Children's sportswear, beachwear and work clothes; 15 learners (T); October 22, 1943.

Hollywood Maxwell Company, Front Street, Natchitoches, Louisiana; Corsets and allied garments; 10 learners (T); February 1, 1944. (This certificate will replace the certificate which expires February 1, 1944.)

Kleever Klad Frocks, Inc., 130 East Chestnut Street, Coatesville, Pennsylvania; Women's cotton dresses; 10 percent (T); April 8, 1944.

L and H Shirt Company, Cochran, Georgia; Shirts; 5 percent (T); December 7, 1943.

Lark Dress Company, Walnut & Fifth Streets, Shamokin, Pennsylvania; Misses' dresses; 10 learners (T); December 17, 1943.

Marathon Rubber Products Company, 5th Ave. & Sherman Street, Wausau, Wisconsin; Rubberized garments; 10 percent (T); April 8, 1944.

Marathon Rubber Products Company, 218 Stowbridge Street, Wausau, Wis-

consin; Rubberized garments; 10 percent (T); April 8, 1944.

A. E. Oppenheimer and Brothers, 1304 Arch Street, Philadelphia, Pennsylvania; Women's work garments, sportswear; 10 learners (T); April 5, 1944. (This certificate replaces the one which expires April 5, 1944.)

Press Dress and Uniform Company, Hummelstown, Pennsylvania; Maids' and nurses' uniforms and women's work clothing and dresses; 10 percent (T); April 19, 1944.

U. P. Dress Manufacturing Company, 119-121 Baraga Avenue, Marquette, Michigan; Women's cotton dresses; 15 learners (T); April 8, 1944.

Valley Garment Company, Inc., 701 Marshall Street, McMechen, West Virginia; Ladies' cotton dresses and sportswear; 10 percent (T); April 8, 1944.

Gloves Industry

Montpelier Glove Co., Inc., 129 N. Main Street, Montpelier, Indiana; Work gloves; 14 learners (E); October 8, 1943.

Warlong Glove Mfg. Company, Conover, North Carolina; Work gloves; 20 learners (E); October 5, 1943.

Hosiery Industry

Caswell Knitting Mills, Inc., Wall Street, Yanceyville, North Carolina; Full fashioned hosiery; 23 learners (T); October 8, 1943.

Elizabeth City Hosiery Mills, Elizabeth City, North Carolina; Full fashioned hosiery; 20 learners (T); November 30, 1943.

Fisher Hosiery Company, Inc., 7th & Court Streets, Reading, Pennsylvania; Seamless hosiery; 15 learners (T); October 8, 1943.

Grey Hosiery Mills, 305 Fourth Avenue E., Hendersonville, North Carolina; Seamless and full fashioned hosiery; 16 learners (T); November 9, 1943.

Albert Lucier Company, Belmont, New Hampshire; Seamless hosiery; 5 learners (T); April 8, 1944.

McDonough Hosiery Mills, Inc., McDonough, Georgia; Seamless hosiery; 10 learners (T); November 23, 1943.

Maywood Silk Hosiery Mills, Inc., Cordele, Georgia; Full fashioned hosiery; 10 learners (T); October 12, 1943.

Russell Hosiery Mill, Star, North Carolina; Seamless hosiery; 10 percent (T); October 8, 1943.

Textile Industry

Elizabeth City Cotton Mills, Division of Robinson Manufacturing Company, Elizabeth City, North Carolina; Cotton; 18 learners (T); November 30, 1943.

Pawtucket Standard Braid Company, Webster Street, Pawtucket, Rhode Island; Cotton and rayon; 3 percent (T); April 8, 1944.

Signed at New York, N. Y., this 6th day of April 1943.

PAULINE C. GILBERT,
Authorized Representative
of the Administrator.

[F. R. Doc. 43-5437; Filed, April 7, 1943; 11:26 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5822]

UTAH POWER & LIGHT COMPANY

NOTICE OF APPLICATION

APRIL 6, 1943.

Notice is hereby given that on April 2, 1943, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Utah Power & Light Company, a corporation organized under the laws of the State of Maine and doing business in the States of Utah, Idaho and Wyoming, with its principal office at Salt Lake City, Utah, seeking an order authorizing it to acquire all the properties and assets of Utah Light and Traction Company, a corporation organized under the laws of the State of Utah and doing business in said State, with its principal office at Salt Lake City, Utah, and thus to merge and consolidate their facilities, in consideration for the assumption by the Utah Power & Light Company of all the liabilities of Utah Light and Traction Company, the forgiveness of all indebtedness due to the former from the latter, and the cancellation of all of the capital stock of Utah Light and Traction Company now owned by Utah Power & Light Company; or in the alternative an order dismissing the application for lack of jurisdiction of the Commission over the subject matter; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest in reference to said application should, on or before the 22d day of April, 1943, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL]

LEON M. FUQUAY,
Secretary.[F. R. Doc. 43-5434; Filed, April 7, 1943;
9:57 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1095]

CERTAIN CLAIMS AGAINST THE YOKOHAMA SPECIE BANK, LTD., NEW YORK

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the City of Yokohama and the City of Tokyo are municipalities organized under the laws of Japan and are political subdivisions of a designated enemy country (Japan);

2. Finding that Taiwan Electric Power Company is a Japanese corporation and is a national of a designated enemy country (Japan); and determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan);

3. Finding that the property of the New York Agency of The Yokohama Specie Bank, Ltd., a Japanese corporation, is in the pro-

cess of administration by the Superintendent of Banks of the State of New York acting under judicial supervision of the Supreme Court of the State of New York and that the liquidation of such Agency by said Superintendent is, pursuant to Supervisory Order Number 27 issued by the undersigned under date of September 28, 1942, under the general supervision of the undersigned;

4. Finding that the property described as follows:

a. All right, title, interest and claim, if any, of any name or nature whatsoever, of the City of Yokohama, the City of Tokyo and Taiwan Electric Power Company, and each of them, in and to all indebtedness and obligations (whether in the form of property or assets of any nature whatever payable or deliverable to or held on behalf of or on account of or owing to any or all of them, or otherwise), contingent or otherwise and whether or not matured, owing to them or any of them by said New York Agency of said The Yokohama Specie Bank, Ltd., including all security rights in and to any and all collateral for any or all such indebtedness and obligations and the right to sue for and collect such indebtedness and obligations, and including particularly, but not limited to, all right, title, interest and claim, if any, of each and all of them in and to all indebtedness and obligations owing to them or any of them by said New York Agency of said The Yokohama Specie Bank, Ltd. in connection with that certain account in the Guaranty Trust Company of New York known and designated as the Yokohama Specie Bank, Ltd., Coupon Account, and in connection with the accounts represented as follows on the books and records of said New York Agency of said The Yokohama Specie Bank, Ltd.:

Temporary receipts A/C:

Bond #2, 6% Yokohama Sinking Fund.
Bond #3, 6% Yokohama Int. & Com. Fund.
Bond #4, 6% Yokohama Coupon Fund.
Bond #5, 5½% Tokyo Sinking Fund.
Bond #6, 5½% Tokyo Int. & Comm. Fund.
Bond #7, 5½% Tokyo Coupon Fund.
Bond #8, 5½% Taiwan Sinking Fund.
Bond #9, 5½% Taiwan Commission Fund.
Bond #10, 5½% Taiwan Coup. Fund.
Bond #11, 5½% Taiwan General Fund.

b. All right, title, interest and claim, if any, of any name or nature whatsoever, of the Imperial Japanese Government in and to all indebtedness and obligations (whether in the form of property or assets of any nature whatsoever payable or deliverable to or held on behalf of or on account of or owing to said Imperial Japanese Government, or otherwise, and including all security rights in and to any and all collateral for any or all such indebtedness and obligations and the right to sue for and collect such indebtedness and obligations), contingent or otherwise and whether or not matured, owing to it by said New York Agency of said The Yokohama Specie Bank, Ltd. in connection with that certain account in the Guaranty Trust Company of New York known and designated as the Yokohama Specie Bank, Ltd., Coupon Account, and in connection with the accounts represented as follows on the books and records of said New York Agency of said The Yokohama Specie Bank, Ltd.:

Public Loan & Coupon Redemption Fund

I. J. G.:
5% Ster. Loan 1907.
5½% Ster. Loan of 1930.
5½% External Loan of 1930.
6½% Dollar Loan of 1924.
4½% I (1905).
4½% II (1905).
4% (1905).
4% (1910).
4½% I (1905) Bond Redemption.
4½% II (1905) Bond Redemption.
4% (1905) Bond Redemption.

is property within the United States owned or controlled by a designated enemy country (Japan) and a national thereof, and also is property which is payable or deliverable to, or claimed by, a designated enemy country (Japan) and a national thereof and which is in the process of administration by a person acting under judicial supervision;

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The property herein vested, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on March 22, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.[F. R. Doc. 43-5432; Filed, April 7, 1943;
8:55 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 38 Under RPS 6]

THE MEDART COMPANY

ORDER GRANTING EXCEPTION

Order No. 38 under Revised Price Schedule No. 6—Iron and Steel Products; Docket No. 3006-43.

On February 20, 1943, The Medart Company of St. Louis, Missouri, filed a petition for exception to Revised Price Schedule No. 6, as amended, pursuant to § 1306.7 (c) thereof. Due consideration has been given to the petition and an opinion in support of this Order No. 38 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under

the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) The Medart Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, cold finished steel bars at prices not in excess of those stated in paragraph (b), when such bars are shipped to points where the published freight rate from Chicago, Illinois, to destination is equal to or less than the freight rate from St. Louis, Missouri, to destination.

(b) The maximum price which may be charged by The Medart Company on sales of cold finished bars covered by paragraph (a) above, shall be the cold finished steel bar maximum basing point base price at Chicago, Illinois, plus the carload freight rate on hot rolled bars from Chicago, Illinois, to St. Louis, Missouri, f. o. b. St. Louis, Missouri.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 38 may be revoked or amended by the Price Administrator at any time.

(e) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(f) This Order No. 38 shall become effective as of February 20, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5399; Filed, April 6, 1943;
3:13 p. m.]

[Order 2 Under MPR 33]

HOWELL MANUFACTURING CO.

ORDER GRANTING ADJUSTMENT

Order No. 2 under Maximum Price Regulation No. 33—Carded Cotton Yarns and The Processing Thereof; Docket No. 3033-20.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is hereby ordered:*

(a) Howell Manufacturing Company of Cherryville, North Carolina, may sell and deliver and any person may purchase and receive from it the following yarns at prices not in excess of those set forth below:

Number	Specifications	Maximum prices (cents per pound)	
		Single	Ply
40s.....	When made of strict mid-dling cotton— $1\frac{1}{2}$ " staple.	56.00	61.00

(b) The provisions of Maximum Price Regulation No. 33, except as modified by paragraph (a) above, shall apply to all sales of such carded cotton yarns by the Petitioner.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 2 may be revoked or amended at any time by the Office of Price Administration.

(e) This Order No. 2 shall be effective as of November 16, 1942.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5403; Filed, April 6, 1943;
3:17 p. m.]

[Order 176 Under MPR 120]

PREMIER JELICO COAL CORPORATION

ORDER GRANTING ADJUSTMENT

Order No. 176 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant; Docket No. 3120-315.

For the reason set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Premier Jellico Coal Corporation, Middlesboro, Kentucky, at its Premier Mine, Mine Index No. 378, in District No. 8, may be sold and purchased for all shipments except truck or wagon at prices not to exceed the following respective prices per net ton f. o. b. the mine:

SIZE GROUP						
1	2	3	4	5	6	7
\$3.20	3.15	3.10	3.10	3.10	3.05	2.95

SIZE GROUP						
15	16	17	18	19	20	21
2.85	2.85	2.85	2.85	2.75	2.70	2.70

RAILROAD LOCOMOTIVE FUEL

Lump and double screened.....	\$3.00
Run of mine.....	2.85
Resultant run of mine (larger than 2½" x 0, but not exceeding 6" x 0)...	2.65
Screenings, 2½" and smaller.....	2.45

(b) Within thirty (30) days from the effective date of this order the said Premier Jellico Coal Corporation shall notify all persons purchasing its coal of the adjustments granted in paragraph (a) of this order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 176 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) All prayers of the applicant not granted herein are hereby denied.

(f) This Order No. 176 shall become effective April 7, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5402; Filed, April 6, 1943;
3:18 p. m.]

[Order 179 Under MPR 120]

LONG VIEW COAL CO.

APPROVAL OF MAXIMUM PRICES

Order No. 179 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant; Docket No. 3120-249.

For the reasons set forth in the opinion issued simultaneously herewith, and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced by Long View Coal Company, Coal Valley, Illinois, at its Long View Mine (Mine Index No. 574) District No. 10 may be sold and purchased for shipment by truck or wagon at prices not in excess of the following prices per net ton f. o. b. the mine:

Size Group No. 3.....	\$4.00
Size Group No. 7.....	3.00

(b) Within thirty (30) days from the effective date of this order, the said Long View Coal Company shall notify all persons purchasing its coals of the adjustment granted in paragraph (a) of this order and shall include a statement that if the purchaser is subject to Revised Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 179 may be revoked or amended by the Price Administrator at any time;

(d) All prayers of the petitioner not granted herein are denied;

(e) Unless the contents otherwise requires the definitions set forth in § 1340.208 of the Maximum Price Regulation No. 120 shall apply to terms used herein.

(f) This Order No. 179 shall become effective April 7, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5406; Filed, April 6, 1943;
3:16 p. m.]

[Order 24 Under MPR 157]

NEWTOWNE MANUFACTURING COMPANY
ORDER DENYING ADJUSTMENT

Order No. 24 under Maximum Price Regulation No. 157—Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes; Docket No. 3157-39.

On December 5, 1942, Newtowne Manufacturing Company, Roxbury, Massachusetts, filed an application under Maximum Price Regulation No. 157 for adjustment of the maximum prices for Service Raincoats conforming to specifications of four contracts with the United States Coast Guard Clothing Depot, New York City. Due consideration has been given to the application, and an opinion in support of this Order No. 24 has been issued simultaneously and filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 and Procedural Regulation No. 6, *It is ordered, That:*

(a) The application for adjustment is hereby denied.

(b) Newtowne Manufacturing Company shall immediately notify all persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 and which establish prices in excess of those authorized by Maximum Price Regulation No. 157 that it will make final settlement of such contracts in accordance with the maximum prices established by Maximum Price Regulation No. 157.

(c) Newtowne Manufacturing Company shall refund to persons with whom it has contracts which are subject to Maximum Price Regulation No. 157 all payments which have been made to it in excess of the maximum prices authorized by Maximum Price Regulation No. 157.

(d) Within 30 days after the date on which this Order No. 24 was mailed to it, Newtowne Manufacturing Company shall file a statement with the Office of Price Administration, Washington, D. C., stating the action it has taken to comply with the terms of this Order No. 24.

(e) This Order No. 24 shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5408; Filed, April 6, 1943; 3:14 p. m.]

[Order 14 Under MPR 185]

BARRON-GRAY PACKING CO.
APPROVAL OF MAXIMUM PRICE

Order No. 14 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

No. 69—5

The applicant, Barron-Gray Packing Company, San Jose, Calif., has filed an application for specific authorization of a maximum price for canned No. 2½ Fancy Spiced Halves Pears, pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to the information submitted by the applicant with respect to the packing of pears in the size, grade and style in question.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered, That:*

(a) The applicant, Barron-Gray Packing Company, may sell, offer to sell or deliver and any person may buy, offer to buy or receive from the applicant, No. 2½ Fancy Spiced Halves Pears at a price no higher than the maximum price of \$3.01 per dozen cans, f. o. b. factory.

(b) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

(c) The applicant shall not change its customary allowances, discounts or price differentials, including price differentials between different classes of purchasers, unless such change results in a lower price.

(d) Unless the context otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942, shall be applicable to the terms used herein.

(e) This order shall become effective April 7, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 54-5404; Filed, April 6, 1943; 3:17 p. m.]

[Order 241 Under MPR 188]

EXPERIMENTAL DRY CELL BATTERIES;
MANUFACTURERS' SALES

ADJUSTMENT OF MAXIMUM PRICES

Order No. 241 under § 1499.159b of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Adjusted maximum prices for manufacturers' sales of small quantities of experimental dry cell batteries.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) This order applies only to manufacturers' sales of small sample quantities of dry cell batteries which are specially designed and produced for experimental or developmental use. Instead of pricing the batteries in ac-

cordance with the provisions of Maximum Price Regulation No. 188, the manufacturer, if he desires to do so, may charge a price no higher than 10¢ per cell.

(b) No more than 200 units of any one model can be priced under this order.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 12th day of April 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5401; Filed, April 6, 1943; 3:18 p. m.]

[Order 244 Under MPR 188]

CANYON LIME COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 244 under Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers Goods Other Than Apparel; Docket No. 3188-71.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and by Executive Order 9250 and Procedural Regulation No. 6, *It is hereby ordered, That:*

(a) Specific authority is hereby granted to The Canyon Lime Company, Las Vegas, New Mexico, to sell, deliver, invoice and receive payment for 1½" crushed limestone for use at the United States Army Air Forces, Transport Command Training Centre, Camp Luna, Las Vegas, New Mexico, at a price not in excess of \$3.00 per cubic yard.

(b) All prayers in the application not granted herein are denied.

(c) This Order No. 244 may be revoked or amended by the Price Administrator at any time.

This Order No. 244 shall become effective April 7, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5405; Filed, April 6, 1943; 3:17 p. m.]

[Order 11 Under MPR 204]

METALS RESERVE CO., ET AL.

APPROVAL OF MAXIMUM PRICES

Order No. 11 under Maximum Price Regulation No. 204—Idle or Frozen Materials Sold Under Priorities Regulation No. 13.

An opinion in support of this Order No. 11 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1499.506

of Maximum Price Regulation No. 204 and in accordance with Revised Procedural Regulation No. 1, *It is hereby ordered, That:*

(a) *Maximum prices for textile print rolls sold or delivered to the Metals Reserve Company, the Copper Recovery Corporation or their agents.* (1) The maximum price for any textile print roll sold or delivered to the Metals Reserve Company, the Copper Recovery Corporation or any of their agents pursuant to the program for the acquisition thereof announced by the War Production Board on or about January 23, 1943 (Recovery Program MRB-23) shall be the price set forth in the "Government's Price Schedule for Purchase of Idle and Excessive Inventories of Textile Print Rolls" attached to the aforesaid program, as amended on or about March 27, 1943. The prices set out in said Schedule, as amended, are hereby incorporated herein by reference and shall have the same force and effect as if they were set out in full.

(b) As used in this order the term:

(1) "Textile print roll" means any copper or copper base alloy roll, including plated rolls, used to print woven or knitted fabrics.

(2) "Copper" means unalloyed copper metal.

(3) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(c) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

This Order No. 11 shall become effective as of January 23, 1943.

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5400; Filed, April 6, 1943;
3:18 p. m.]

[Order 5 Under MPR 327]

SWEETWATER MINING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 5 under Maximum Price Regulation No. 327—Certain Nonmetallic Minerals.

For the reasons set forth in the opinion issued simultaneously herewith, *It is hereby ordered, That:*

(a) The Sweetwater Mining Co., Sweetwater, Tennessee, may sell and deliver, and any person may buy or receive from the Sweetwater Mining Co., barytes ore containing 96% BaSO₄ at prices f. o. b. Sweetwater, Tennessee, not in excess of \$8.00 per long ton: *Provided*, That a premium or penalty of 25¢ a ton may be added or deducted respectively for each percent of BaSO₄ above or below 96%.

(b) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 5 shall become effective April 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 6th day of April 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-5407; Filed, April 6, 1943;
3:15 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-426]

GREATER NEW YORK BREWERY, INC.

FINDINGS AND ORDER OF THE COMMISSION WITHDRAWING SECURITIES FROM REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of April, A. D. 1943.

In the matter of the Greater New York Brewery, Inc., common capital stock, \$1.00 par value.

This proceeding having been instituted pursuant to section 19 (a) (2) of the Securities Exchange Act of 1934, to determine whether or not the Commission should suspend or withdraw the registration of 1,177,604½ shares of common capital stock, \$1.00 par value, of the Greater New York Brewery, Inc., listed and registered on the New York Curb Exchange, a national securities exchange;

A hearing having been held after appropriate notice to the registrant and the New York Curb Exchange; the trial examiner having filed an advisory report finding that the registrant has failed to comply with the provisions of section 13 of the Act and Rules X-13A-1 and X-13A-2 promulgated pursuant thereto in that it has failed to file its annual report on Form 10-K for the fiscal year ended September 30, 1941; no exceptions to the trial examiner's report having been filed; the Commission having adopted the trial examiner's findings as being in accord with the evidence, and finding that it is necessary and appropriate for the protection of investors to withdraw the said stock from registration;

It is ordered, Pursuant to section 19 (a) (2) of said Act, that the registration of the stock in question be and the same hereby is withdrawn, effective ten days after the date of this order.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 43-5421; Filed, April 6, 1943;
3:34 p. m.]

[File No. 70-693]

GENERAL GAS & ELECTRIC CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of April, A. D. 1943.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, by General Gas & Electric Corporation, a registered holding company and a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company; and

Notice is further given that any interested person may, not later than April 20, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of such interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such application, as filed or as amended, may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to the said application, which is on file in the office of the said Commission, for a statement of the transaction therein proposed, which is summarized below:

General Gas & Electric Corporation proposes to acquire from The Dover Gas Light Company 80 shares of the common capital stock (par value \$1 per share) of Atlantic Utility Service Corporation, a service company in the Associated Gas and Electric Corporation system, for the total consideration of one dollar (\$1). This acquisition is stated to be pursuant to the terms of an agreement between General Gas & Electric Corporation and Harrison & Co., a partnership, by the terms of which General Gas & Electric Corporation, on December 15, 1942, sold all the outstanding capital stock of The Dover Gas Light Company to the said Harrison & Co. The agreement also provided that the purchaser of the stock of The Dover Gas Light Company was to cause The Dover Gas Light Company to transfer its 80 shares of common stock of Atlantic Utility Service Corporation to General Gas & Electric Corporation for the consideration of one dollar (\$1). The proposed transaction is for the purpose of effectuating the terms of the agreement.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 43-5422; Filed, April 6, 1943;
3:34 p. m.]

[File No. 1-2836]

LINCOLN SERVICE CORPORATION

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of April, A. D. 1943.

In the matter of Lincoln Service Corporation, 7% cumulative prior preferred stock, \$50 par value; common stock, \$1 par value.

The Lincoln Service Corporation, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its 7% Cumulative Prior Preferred Stock, \$50 Par Value, and its Common Stock, \$1 Par Value, from listing and registration on the Washington Stock Exchange; and

The Commission on March 19, 1943 having ordered a hearing to be held on April 23, 1943 in this matter, which hearing has been heretofore postponed until April 23, 1943; and

Counsel for the applicant having requested further postponement of the date of hearing; and

It appearing to the Commission that the granting of said request will be in the public interest;

It is ordered, That the hearing in this matter scheduled for April 23, 1943, be and the same is postponed until May 3, 1943, at the hour and place heretofore designated.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-5423; Filed, April 6, 1943;
3:34 p. m.]

[File No. 70-684]

TWIN STATE GAS AND ELECTRIC CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of April 1943.

In the matter of the Twin State Gas & Electric Company, Public Service Company of New Hampshire, Central Vermont Public Service Corporation and New England Public Service Company.

Notice is hereby given that joint declarations and applications have been filed with this Commission pursuant to sections 6, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 by the Twin State Gas & Electric Company ("Twin State") Public Service Company of New Hampshire ("New Hampshire"), Central Vermont Public Service Corporation ("Central Vermont") and New England Public Service Company ("Nepco"), the first three companies being subsidiaries of the last named company which is a registered holding company. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

I

Twin State proposes to sell to New Hampshire and New Hampshire proposes to acquire from Twin State the latter's rights and properties used in and pertaining to its electric and gas business in New Hampshire and its electric business in Maine, together with \$10,000 principal amount of 3% Deferred Debentures of December 1, 1936 and twenty shares of common stock without

par value of Nepco Appliance Finance Corporation incidental current assets and incidental other securities and real estate (hereinafter called the "New Hampshire Properties"), for a cash consideration of \$4,048,977.92 for other than net current assets at August 31, 1942 (adjusted for interim transactions to date of sale). Twin State proposes to use the proceeds from the sale of its New Hampshire Properties to redeem its \$2,435,200 outstanding principal amount of First Lien and Refunding Mortgage 5½% Gold Bonds, Series A, dated March 2, 1925 and due March 1, 1945 at the current call price of 101% and to reduce its outstanding bank loans from \$2,255,250 to an amount estimated at \$451,300.

New Hampshire further proposes: (1) to issue and sell privately for cash \$1,000,000 principal amount of its First Mortgage Bonds, Series A, 3¼% due 1973; (2) to issue and sell privately for cash at par \$3,000,000 principal amount of Ten-Year Serial Unsecured Notes (interest rates to be supplied by amendment); (3) to use the proceeds from the sale of such securities, together with available treasury funds, to purchase the New Hampshire Properties of Twin State.

II

Twin State and Central Vermont propose to enter into an agreement of merger by which Central Vermont will acquire all the remaining assets of Twin State (hereinafter called the "Vermont Properties") and assume all of the liabilities of Twin State, and by which Central Vermont will continue as the surviving corporation.

A. It is proposed that Nepco will prior to the merger: (1) make a capital contribution to Central Vermont by the surrender of 11,829 shares of the Common Stock of Central Vermont for the specific purpose of creating a capital surplus to be used forthwith for the write-off of \$341,421.55 (amount carried in Account 100.5 "Electric Plant Acquisition Adjustments"), and for the creation, by transfer from such capital surplus, of a reserve in the amount of \$250,000 against its investment in "Other Physical Property"; (2) make a capital contribution to Twin State by the cancellation of Twin State's obligation to it which, together with accrued interest, aggregated \$319,240.47 at December 31, 1942 and by the surrender of its holdings of all of the outstanding 15,525 shares of 5% Cumulative Preferred Stock of Twin State.

B. It is proposed that Twin State prior to the merger will call for redemption and retirement all of its outstanding 7% Prior Lien Stock (at 110% plus accrued dividends) and the obligation to deposit the redemption price in trust is to be undertaken by Central Vermont under the Agreement of Merger.

C. It is further proposed: (1) that Nepco tender for conversion its present holdings of 17,929 shares of Common Stock of Twin State and receive therefor shares of Common Stock, no par value, of Central Vermont on the basis of one

share of such Common Stock for each \$50 of Nepco's equity interest in the assets of Twin State to be acquired by Central Vermont upon the merger; (2) that Central Vermont issue and deliver to an agent appointed by Twin State, the said shares of Common Stock, no par value, for distribution to Nepco, and that Nepco acquire said shares; (3) that Central Vermont issue and sell for cash 960 shares of Common Stock, no par value, at the price of \$50 per share and that Nepco purchase such shares.

D. It is further proposed that Central Vermont: (1) will assume the liability for the payment of the bank debt of Twin State in the estimated amount of \$451,300; (2) issue and sell privately for cash \$800,000 principal amount of its First Mortgage Bonds 3½%, Series C, due 1973; (3) issue and sell privately for cash at par \$2,150,000 principal amount of Fifteen-Year Serial Unsecured Notes (interest rates to be supplied by amendment); (4) issue and sell for cash 5,000 shares of Preferred Stock, \$6 Dividend Series, of which Series, 37,856 shares are presently outstanding.

E. It is proposed that proxies be solicited from the stockholders of 7% Prior Lien Stock of Twin State in connection with the sale of Twin State's New Hampshire Properties to New Hampshire and the merger of its Vermont Properties with Central Vermont.

F. It is further proposed that Central Vermont apply the proceeds from the sale of its Notes, Bonds, Preferred Stock and Common Stock as follows: (1) to pay bank loans in the amount of \$250,000; (2) to pay the bank loans of Twin State to be assumed under the agreement of merger; (3) to pay the redemption price of the 7% Prior Lien Stock of Twin State; (4) to pay for certain securities proposed to be acquired from Nepco; (5) to provide the Company with the necessary funds for the purchase and construction of property to be used in the carrying out of its corporate purposes.

III

Central Vermont proposes to acquire from Nepco, and Nepco proposes to sell to Central Vermont, for cash, the assets tabulated below at prices indicated opposite each item:

	Price
(1) Nepco Appliance Finance Corporation \$40,000 principal amount of 3% Deferred Debentures due December 1, 1956.....	*\$40,000
(2) Nepco Services, Inc., \$8,000 principal amount of 5% Debentures due August 1, 1956.....	*\$8,000
*Plus accrued interest	

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and Rules of the Commission thereunder be held on April 22, 1943 at

10:00 o'clock A. M., E. W. T. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declarations and applications shall become effective or shall be granted. Notice is hereby given of said hearing to the above named declarants and applicants and to all interested parties, said notices to be given to said declarants and applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Charles S. Moore, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of issues presented by said declarations and applications otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the consideration to be paid by New Hampshire and Central Vermont for the properties to be acquired from Twin State is reasonable and whether such acquisitions are in the public interest and in the interest of investors and consumers.

2. Whether all acquisitions proposed meet the requirements of section 10 of the Public Utility Holding Company Act of 1935 and all Rules and Regulations promulgated thereunder.

3. Whether the issuance and sale by New Hampshire and Central Vermont of the aforementioned securities are solely for the purpose of financing the businesses of the companies.

4. Whether the issuance and sale by New Hampshire and Central Vermont of the aforementioned securities have been expressly authorized by the State Commissions in which the companies are organized and doing business.

5. Whether the proposed solicitation material is appropriate under the provisions of the Public Utility Holding Company Act of 1935 and whether the declaration with respect thereto should be permitted to become effective.

6. Whether the accounting entries to be made in connection with any or all of such proposed transactions are appropriate under the standards and requirements of the Public Utility Holding Company Act of 1935 and all Rules and Regulations promulgated thereunder.

7. Whether terms and conditions are appropriate in the public interest or for the protection of investors or consumers or are necessary to be imposed to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any Rules, Regulations or Orders promulgated thereunder.

8. Whether the issuance and sale of Bonds by New Hampshire and issuance and sale of Notes by Central Vermont

should be exempted from the competitive bidding requirements of paragraphs (b) and (c) of Rule U-50 in accordance with paragraph (a) (5) of said Rule.

9. Generally, whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and Rules, Regulations or Orders promulgated thereunder. By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-5424; Filed, April 6, 1943;
3:34 p. m.]

[File No. 70-688]

ROCKLAND GAS CO., INC.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of April, A. D. 1943.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Rockland Gas Co., Inc., a direct, wholly-owned subsidiary company of General Water Gas & Electric Company and an indirect subsidiary company of International Utilities Corporation, both of which are registered holding companies under said Act; and

Notice is further given that any interested person may, not later than April 20, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Rockland Gas Co., Inc. proposes to issue and sell at par, \$500,000 First Mortgage 4½% Bonds, due January 1, 1963,

to Occidental Life Insurance Company of California and California-Western States Life Insurance Company in the principal amount of \$325,000 and \$175,000, respectively, subject to the right of the Lincoln National Life Insurance Company to purchase \$125,000 of the principal amount of said bonds to be taken up by Occidental Life Insurance Company. The proceeds from the sale of said 4½% bonds will be applied by Rockland Gas Co., Inc. to the retirement and cancellation of its presently outstanding bonds and notes in the aggregate amount of \$454,000 and to reduce its open account indebtedness of \$52,042.06 by \$46,000. General Water Gas & Electric Company owns all of the outstanding securities of Rockland Gas Co., Inc., and upon the receipt by General Water Gas & Electric Company of the proceeds of the sale of said 4½% bonds, that company will apply the amount thereof to the further redemption of the indebtedness due by it to Bank of America National Trust and Savings Association and American Trust Company, San Francisco, California.

Rockland Gas Co., Inc. states in its application that there are no underwriters in connection with the issuance and sale of said 4½% bonds and that the issuance and sale of these bonds are subject to the prior approval of the New York Public Service Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-5425; Filed, April 6, 1943;
3:34 p. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon Preference Ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
	24402	Tennessee Valley Authority, Knoxville, Tenn.	Knoxville Terminal	3/30/43
P-19-e	120-e	Montana State Hwy. Comm., Helena, Mont.	St. Rte. #34, FAP 281 H (1) m Mont.	4/ 2/43
P-19-e	482-e	Oklahoma St. Hwy. Comm., Oklahoma City, Okla.	El Reno, Okla. SN-FAP 163-G1 (Rock Island R. R. overpass).	3/30/43
P-19-e	6-e	Missouri St. Hwy. Dept., Jefferson City, Mo.	St. Rte. #52, FAP 280A (2)	4/ 3/43

[F. R. Doc. 43-5426; Filed, April 6, 1943; 4:16 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects

affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued April 6, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-e.....	250-e.....	Rhode Island Dept. of Pub. Wks., Providence, R. I.	Blackstone Valley FAP 67 C (1), Bridge on 35, FAP 41-E (1) rd. on st. ret. 112.	3/30/43
P-19-h.....	51779.....	Federal Public Housing Authority, Washington, D. C.	Albion St., Bridgeport, Conn.	3/30/43
P-19-e.....	23723-e.....	Indiana St. Hwy. Comm., Indianapolis, Ind.	Indianapolis, Ind., SN-FAP 397.....	3/30/43
P-19-e.....	19508-e.....	Oklahoma St. Hwy. Dept., Oklahoma City, Okla.	El Reno, Okla., SN-FAP 163-G (2), G (3) Rock Island R. R.	3/30/43
P-19-h.....	6321.....	Federal Works Agency, N. Interior Bldg., Washington, D. C.	Kingsbury, Ind., WPW 12-134.....	3/22/43
P-19-e.....	669-e.....	California Dept. of Pub. Wks., Sacramento, Calif.	Mendocino Co., Calif., S. of Fort Bragg.	3/31/43
P-19-h.....	51247.....	The American Rolling Mill Co., Middletown, Ohio.	Lyndora, Pa.	3/29/43
P-19-e.....	8-e.....	Missouri St. Hwy. Dept., Jefferson City, Mo.	Taney Co., Mo. St. Rte. 76 FAS 74-A (1).	3/29/43
P-19-h.....	10961.....	Federal Works Agency, N. Int. Bldg., Washington, D. C.	New Warrington, Fla., Turner-Lee School.	3/29/43
P-19-e.....	16622-e.....	New Jersey State Hwy. Dept., Trenton, N. J.	N. J. Route 6 (1917), Section 16 access rd.	3/29/43
P-19-e.....	12805.....	Texas St. Hwy. Dept., Austin, Tex.	Harris Co., on U. S. 90 SN-FAP 1039-C (2).	3/29/43

[F. R. Doc. 43-5427; Filed, April 6, 1943; 4:16 p. m.]

